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**NEW YORK OFFICE OF THE  
INSPECTOR GENERAL**  
**New York State**  
**Police Interview of Gene Palmer**  
**June 20, 2015**  
**Clinton Correctional Facility**  
**1072-316-2015**

1 [START Palmer\_Tracks1-AfterPoly\_6\_20\_15]

2 MR. GENE PALMER: Oh, man. Have you guys  
3 been working like this every single day since  
4 this happened?

5 [REDACTED] [REDACTED] Yes.

6 MR. PALMER: Wow.

7 [REDACTED] [REDACTED] You guys - - ?

8 MR. PALMER: Yes. Okay.

9 [REDACTED] [REDACTED] It's a long day, Gene. - - .

10 MR. PALMER: - - .

11 [REDACTED] [REDACTED] You know, the big thing about  
12 that is, you can't change the past, but you can  
13 make it right.

14 MR. PALMER: Yes, I can.

15 [REDACTED] [REDACTED] That's part of why we have you  
16 here. And to a large extent you have made it  
17 right, you know.

18 MR. PALMER: I appreciate you being  
19 aggressive with me. Look, and the interviews  
20 will show that I didn't assist - - in their  
21 escape.

22 [REDACTED] [REDACTED] Okay. Okay.

23 MR. PALMER: You know,--

24 [REDACTED] [REDACTED] All right. That really wasn't  
25 aggressive but we appreciate that.

1           ████████ ██████████ - - a lot worse than that.

2           MR. PALMER: - - the part with the cell  
3 phone. That never happened.

4           ████████ ██████████ Okay. And again, we have  
5 information we need to verify.

6           MR. PALMER: Yes.

7           ████████ ██████████ I'm not about to call a man a  
8 liar--

9           MR. PALMER: No.

10          ████████ ██████████ --until I verify the  
11 information.

12          MR. PALMER: Yes.

13          ████████ ██████████ And I tend to believe that--  
14 you're very adamant about it. We're pretty good  
15 at this. I tend to believe that we will  
16 probably verify it another way. But we will  
17 find that out.

18          MR. PALMER: Okay.

19          ████████ ██████████ And maybe there's a reasonable  
20 explanation for that. But we will go through  
21 it.

22          MR. PALMER: Okay.

23          ████████ ██████████ ██████████: One question I did  
24 want to ask, when will he be able to go back to  
25 his home?

1           [REDACTED] [REDACTED] His home--

2           [REDACTED] [REDACTED] In [REDACTED] - -.

3           [REDACTED] [REDACTED] That's something we can check--

4           MALE VOICE: - - .

5           [REDACTED] [REDACTED] Okay, that's something we'll

6 check.

7           MR. PALMER: Because I - -.

8           [REDACTED] [REDACTED] I have to ask. Before when he  
9 mentioned supplies and a screwdriver, we asked  
10 where they were.

11          MR. PALMER: Yes.

12          [REDACTED] [REDACTED] Okay. You said at the house.

13          MR. PALMER: In [REDACTED].

14          [REDACTED] [REDACTED] And you said at the house at  
15 the house you're staying at now?

16          MR. PALMER: No.

17          [REDACTED] [REDACTED] And you said yes--

18          MR. PALMER: [Interposing] No. No, no, no.

19          [REDACTED] [REDACTED] I don't think that was the  
20 full - - of where he's staying right now.

21          [REDACTED] [REDACTED] I'm just saying that they are  
22 in house. What specific address that I asked  
23 you about the - - .

24          [REDACTED] [REDACTED] [PHONETIC]: So your  
25 residence?

1 MR. PALMER: Yeah.

2 [REDACTED] [REDACTED] Miss Lamont's residence which  
3 you were currently residing there full time  
4 prior to this incident, right?

5 MR. PALMER: Yeah.

6 [REDACTED] [REDACTED] Right? Okay. And where are  
7 they?

8 MR. PALMER: - - back room, the very back  
9 room.

10 [REDACTED] [REDACTED] Which back room?

11 MR. PALMER: Where the laundry is, laundry  
12 machine and you'll see that there's a dresser  
13 back there, there's a white one but there's one  
14 kitty-corner to the--

15 [REDACTED] [REDACTED] Do you want him to draw you a  
16 picture?

17 MR. PALMER: That would work.

18 [REDACTED] [REDACTED] That would work with you?

19 MR. PALMER: Yeah.

20 [REDACTED] [REDACTED] - -.

21 MR. PALMER: - - at one time I wanted to be  
22 an FBI agent but it didn't work out that way.

23 [REDACTED] [REDACTED] Well, it has its pluses and  
24 minuses just like everything else.

25 MR. PALMER: Well, when you eventually do

1 get in the back room because you have gone  
2 through two rooms here and that door here and  
3 there's a door here, the washing machine is  
4 here. There's going to be another dresser here  
5 and it should be white. And there's going to be  
6 a dresser sideways like that. Now on this  
7 dresser, when you look at it, the two bottom  
8 drawers and missing. There will be two top  
9 drawers.

10 [REDACTED] [REDACTED] Okay.

11 MR. PALMER: It will either be in the top  
12 drawer or the [crosstalk].

13 [REDACTED] [REDACTED] Okay. Just make a - - and just  
14 write a description of each tool.

15 MR. PALMER: Okay. A needle nose pliers  
16 with the red handle--

17 [REDACTED] [REDACTED] All right, - - ?

18 MR. PALMER: Yeah. This one here. These  
19 are your handles.

20 [REDACTED] [REDACTED] Okay, if you just put red  
21 handle. Needle nose pliers.

22 MR. PALMER: Yeah, then it kind of turns  
23 like that.

24 [REDACTED] [REDACTED] No, he's asking you to write  
25 what it is.

1           [REDACTED] [REDACTED] Just the description, needle  
2 nose pliers.

3           MR. PALMER: Needle nose, yes.

4           [REDACTED] [REDACTED] Red handled,  
5 whatever it is, black tip, silver tip.

6           MR. PALMER: It should be black tip.

7           [REDACTED] [REDACTED] Okay. Red handle,  
8 black tip.

9           MR. PALMER: Red handle. And then the other  
10 screwdriver is the long flat head, it's only  
11 about this long. And it should have, it should  
12 be red and white I believe.

13          [REDACTED] [REDACTED] Red and white handle?

14          MR. PALMER; Yes, yeah, that would be--

15          [REDACTED] [REDACTED] Red and white handle, flat head  
16 screwdriver. Because we're going to retrieve  
17 those items, okay?

18          MR. PALMER: Yes, I understand that.

19          [REDACTED] [REDACTED] Where are they  
20 again, Gene? Because--explain that. Because I  
21 was in your house last--

22          MR. PALMER: [Interposing] - - the main  
23 living room is right here--

24          [REDACTED] [REDACTED] [Interposing] Yeah.

25          MR. PALMER: And then you go in the first

1 bedroom and when you go in here, there's a  
2 washer, they're stacked. And here's the second,  
3 well, there's, I can't think of what--the  
4 dresser, the white dresser. And then this here  
5 is where the other dresser is kitty-corner, that  
6 would be - - on top of them but I suspect they  
7 aren't there now. But, and when you look at  
8 that dresser, back to here, these two, there's  
9 four drawers to it and these two are--

10 [REDACTED] [REDACTED] [Interposing] Missing and  
11 they'll be in the top drawer.

12 MR. PALMER: - - . But these two do have  
13 their base plate on. And they should either be  
14 in this drawer or should be in this drawer.  
15 When you pull it out you'll see them, the  
16 screwdriver and the needle nose handle.

17 [REDACTED] [REDACTED] Okay. And that's [REDACTED].

18 MR. PALMER: Yeah, the house [REDACTED]  
19 which is - - .

20 [REDACTED] [REDACTED] Sure. Okay. Thank  
21 you. I'll be right back.

22 MR. PALMER: I was - - .

23 [REDACTED] [REDACTED] You're doing the right thing  
24 now. I think that - - --

25 [REDACTED] [REDACTED] [Interposing] Yeah. No, Gene,



1 I think the best way to move forward is to stop  
2 living in the past except for, you know, if you  
3 can think of something that, you know, our  
4 interview triggers that may be helpful to us--

5 MALE VOICE: [Interposing] I - - [REDACTED] - -  
6 gave me his card and - - think of anything,  
7 you're going to call me and I'm going to let - -  
8 .

9 MR. PALMER: [Interposing] Now one thing  
10 that, I didn't want to be - - some questioning  
11 in general I can tell a story line when my  
12 memory comes back better--

13 [REDACTED] [REDACTED] [Interposing] Okay.

14 MR. PALMER: And then--

15 [REDACTED] [REDACTED] [Interposing] - - something  
16 that - - right now - - . I understand.

17 MR. PALMER: - - my memory as well.

18 [REDACTED] [REDACTED] I understand. And maybe the  
19 next time we chat, we can do that. I think what  
20 happened--

21 MR. PALMER: [Interposing] Well, we won't  
22 have to.

23 [REDACTED] [REDACTED] Because you like me.

24 MR. PALMER: I do like you. - - like this  
25 fellow here too. But - - .

1           ████████████████████ Well, I appreciate that.

2 Remember when we first chatted we had a very--I  
3 was there, remember? At the - - .

4           MR. PALMER: - - on top of that, now that  
5 you bring that up. When that lieutenant gave me  
6 a direct order to go in there, technically he  
7 was wrong. I was - - .

8           ████████████████████ Yeah, I'm not that - - .

9           MR. PALMER: - - people on the - - .

10          ████████████████████ The union rep is not my - - .

11          MR. PALMER: No, he's not but in that case,  
12 it wouldn't have really changed something except  
13 that there was - - because other people had said  
14 well now the guys can spin this around and make  
15 whatever they want to say in there and you're  
16 dead. But I have faith in you. I can see that  
17 now. You're - - .

18          ████████████████████ Yes. Thank you. I try to be.  
19 You know, to do the best I can like we all do.  
20 But no one is perfect; we all make mistakes.  
21 You know, you make them, you just--

22          MR. PALMER: [Interposing] Yeah, - - feel  
23 bad - - job. I have to - - properly. I don't  
24 think that's - - .

25          MR. FUIROLESO: - - people are so

1 manipulative that I think - - .

2 [REDACTED] [REDACTED] Absolutely.

3 [REDACTED] [REDACTED] It kind of disturbs  
4 me that there are people like that out there.  
5 Have you ever talked to somebody like that  
6 before?

7 MR. PALMER: Who is that?

8 [REDACTED] [REDACTED] Like Richard Matt or  
9 David Sweat like, like a psychopath - - ?

10 MR. PALMER: Matt, he'd talk but there's - -  
11 .

12 [REDACTED] [REDACTED] Where are you  
13 staying tonight?

14 MR. PALMER: Well, I don't know anymore.

15 [REDACTED] [REDACTED] Where did you stay  
16 last night?

17 MR. PALMER: We stayed at - - [REDACTED]  
18 house.

19 [REDACTED] [REDACTED] And where is that?

20 MR. PALMER: It's on - - [REDACTED] [REDACTED] [REDACTED] [REDACTED]

21 [REDACTED] [REDACTED] Okay, okay.

22 MR. PALMER: Yeah. For all I know, I - -  
23 our relationship. - - .

24 [REDACTED] [REDACTED] Are the dogs there  
25 too?

1 MR. PALMER: Yeah, they should be. Yes.

2 MALE VOICE: I just wanted to - - . Trying  
3 to get you guys home, all right? I don't want  
4 to interrupt.

5 [REDACTED] [REDACTED] No, no, no, we're  
6 just chatting but it's been a long day here.

7 MR. PALMER: - - .

8 [REDACTED] [REDACTED] No, no, we  
9 appreciate you coming in.

10 [REDACTED] [REDACTED] It's our job. It's our job. -  
11 - apologize - - . If you lie to us - - and  
12 apologize. You know what, you've been telling  
13 the truth and we appreciate that, okay?

14 MR. PALMER: - - .

15 [REDACTED] [REDACTED] Yeah, and it will be fine.  
16 Trust me, my wife is sick of it. We want to  
17 stay - - on the phone again. Just cover that  
18 again. Your phone.

19 MR. PALMER: Yes.

20 [REDACTED] [REDACTED] You said you've had that number  
21 for quite some time.

22 MR. PALMER: [REDACTED]. That should be my  
23 original number that I had with [REDACTED] and I  
24 had that flip top phone. And then when I  
25 upgraded they laughed at me, said it was

1        outdated. Which was embarrassing. But then I  
2        got the big phone, the - - .

3        [REDACTED] [REDACTED] Sure.

4        MR. PALMER: Yes.

5        [REDACTED] [REDACTED] And how--when did you  
6        originally get that phone? You said nine years  
7        ago.

8        MR. PALMER: Well, no--it might be.

9        [REDACTED] [REDACTED] Not the Galaxy. But now you  
10       got that number and the flip phone--

11       MR. PALMER: Oh, yes, because, see, when we  
12       got that phone, I bought two of them. One for -  
13       - and one for myself. And after the, when we  
14       first started - - out, when I first moved out,  
15       and that would be my first - - April 2007 I  
16       think because we, when we came back from Florida  
17       and I believe that was incorrect. 2007  
18       possibly, April - - .

19       [REDACTED] [REDACTED] What's the full number here?

20       MR. PALMER: [REDACTED].

21       [REDACTED] [REDACTED] And in 2014, not too long ago,  
22       you had that phone--that was your phone in your  
23       sole possession.

24       MR. PALMER: Yes. I - - .

25       [REDACTED] [REDACTED] - - phone.

1 MR. PALMER: Yes.

2 [REDACTED] [REDACTED] Is it possible that you lent  
3 that phone to someone? Did you ever lend it to  
4 - - members, for example that you recall?

5 MR. PALMER: I don't - - call anybody.  
6 Maybe [REDACTED] may have taken it. - - access to it.

7 [REDACTED] [REDACTED] [REDACTED]

8 MR. PALMER: [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED].

9 [REDACTED] [REDACTED] Okay. Are you--is that  
10 something you recall or something you're  
11 guessing at?

12 MR. PALMER: 'Cause I only, I never, only  
13 that one time I brought it to work.

14 [REDACTED] [REDACTED] Okay. That was the only time  
15 you brought it to work.

16 MR. PALMER: Yes.

17 [REDACTED] [REDACTED] So there's no way you would  
18 have lent it to any--

19 MR. PALMER: [Interposing] No.

20 [REDACTED] [REDACTED] --inmates.

21 MR. PALMER: No. No, no. No.

22 [REDACTED] [REDACTED] So just [REDACTED]

23 MR. PALMER: Well, I don't know--

24 [REDACTED] [REDACTED] [Interposing] But you've never  
25 given it to [REDACTED] for a period of time, because I

1 know she was on a little stretch of bad luck.

2 MR. PALMER: No. No. - - that she - -  
3 using the phone at the house. And in that  
4 aspect. Because she did use the phone texting.  
5 When she didn't have a phone I believe.

6 [REDACTED] [REDACTED] I see. Did you ever give your  
7 phone number to any inmates?

8 MR. PALMER: Oh, no.

9 [REDACTED] [REDACTED] So that they could call you?

10 MR. PALMER: Oh, no, never.

11 [REDACTED] [REDACTED] No?

12 MR. PALMER: Never. You wouldn't do that.

13 You wouldn't give your address--now, [REDACTED] [REDACTED] [REDACTED]

14 [REDACTED] [REDACTED] [REDACTED] [REDACTED] but that's why the  
15 guns were loaded - - . We were ready to shoot  
16 to fuckin kill. Because every time we'd come  
17 out of the house after that escape, I was - - my  
18 guns, that 20 gauge or the 16 gauge. No, we  
19 weren't fuckin around. I expected, well, I  
20 expected they would show up. I didn't know  
21 that--

22 [REDACTED] [REDACTED] [Interposing] Why would they  
23 want to kill you?

24 MR. PALMER: Well, I don't know that they  
25 would want to kill me but [REDACTED] [REDACTED] [REDACTED] in

1 [REDACTED] [REDACTED]

2 [REDACTED] [REDACTED] - - they come to you on the  
3 misguided concept of sanctuary?

4 MR. PALMER: No, not sanctuary, no. They  
5 wouldn't have come there for that. They would  
6 have killed us and taken the food if we had left  
7 the little bit of food that we - - have.

8 [REDACTED] [REDACTED] Hmm. That's another topic team  
9 one to talk about. Did you ever carry with you  
10 like a small notebook that you would make  
11 notations on during your day?

12 MR. PALMER: Over my career I did.

13 [REDACTED] [REDACTED] You did.

14 MR. PALMER: Numerous times. Numerous  
15 times.

16 [REDACTED] [REDACTED] And let's say in the last few  
17 months. Have you done that?

18 MR. PALMER: I would have little pieces of  
19 paper in my--

20 [REDACTED] [REDACTED] [Interposing] Was it like a  
21 small spiral notebook?

22 MR. PALMER: Yes. Yes. It would be yellow  
23 too.

24 [REDACTED] [REDACTED] And what type of notes do you  
25 put in there?



1           MR. PALMER:  Whatever information that was  
2   - - so inmates names and numbers, DIN numbers is  
3   what I mean by that.

4           [REDACTED]   [REDACTED]  Why would you put certain  
5   inmates' names in there?

6           MR. PALMER:  To keep track of who I was  
7   looking for, what was going on at the jail.

8           [REDACTED]   [REDACTED]  Give me an example.

9           MR. PALMER:  If I knew - - was in the house  
10   or something, I'd write his name and make those  
11   notations so that, yeah, write his number down  
12   so that.

13          [REDACTED]   [REDACTED]  Yeah.  And your last notebook,  
14   do you recall when you had that with you?  The  
15   last one?

16          MR. PALMER:  It should be, it might be the  
17   yellow one - - pain in the ass - - very well for  
18   me.

19          [REDACTED]   [REDACTED]  Did you have your original  
20   notebooks?

21          MR. PALMER:  No.  If anything, they would  
22   have been at the house.

23          [REDACTED]   [REDACTED]  Do you recall what your last  
24   notebook looked like?

25          MR. PALMER:  I believe it was yellow.

1           ████████ ██████████ It was yellow.

2           MR. PALMER: I think so. I'm unsure of that  
3 but I'm pretty - - yellow.

4           ████████ ██████████ Yellow? And you believe you  
5 left it in the house.

6           MR. PALMER: It could be. It should be if I  
7 hadn't thrown it out already because it was  
8 starting to be a pain in the ass.

9           ████████ ██████████ Okay. But you did not burn  
10 that or destroy it--

11          MR. PALMER: [Interposing] Oh, no, no. Just  
12 those pictures. Just the pictures.

13          ████████ ██████████ Just those pictures.

14          MR. PALMER: Yes.

15          ████████ ██████████ So we should find it. You  
16 think it--do you usually put that in the same  
17 area every night when you get undressed, the  
18 notebook?

19          MR. PALMER: No, I would leave it in my  
20 shirt pocket.

21          ████████ ██████████ But - - when you go to bed.  
22 What do you--

23          MR. PALMER: [Interposing] Well, it depends  
24 if I was going to wash my uniform then I would  
25 take all my stuff out - - put it on the dresser

1 in the bedroom.

2 [REDACTED] [REDACTED] So if it's there, it should be  
3 on the dresser.

4 MR. PALMER: Yes, if I didn't throw it out.  
5 If I didn't throw it out, it would be--that's  
6 where I put all my stuff when I take my brass  
7 off. On the big dresser in the bedroom. Not  
8 that bedroom but in the main bedroom.

9 [REDACTED] [REDACTED] How about completed  
10 notebooks?

11 MR. PALMER: Completed notebooks?

12 [REDACTED] [REDACTED] Yeah, notebooks from  
13 last year that you filled out.

14 MR. PALMER: I didn't save any of that  
15 stuff.

16 [REDACTED] [REDACTED] So just your last  
17 notebook, the yellow spiral one should be on the  
18 dresser right next to--

19 MR. PALMER: [Interposing] Yeah, if I hadn't  
20 thrown it out. For some reason I thought I had  
21 discarded that because it was hard to flip the  
22 pages, like the ones in the past--

23 [REDACTED] [REDACTED] [Interposing] So it wasn't  
24 spiral, it was like a legal pad?

25 MR. PALMER: Spiral. Yeah, it wasn't

1 spiral. It looked like that.

2 [REDACTED] [REDACTED] Now that's a  
3 different bedroom than--

4 MR. PALMER: [Interposing] Yes, it is.

5 [REDACTED] [REDACTED] --than where the  
6 tools are.

7 MR. PALMER: Yeah, that's the only bedroom  
8 that has the bed in it.

9 [REDACTED] [REDACTED] Okay.

10 MR. PALMER: Where the shotguns were in.

11 [REDACTED] [REDACTED] I see. Okay.

12 MR. PALMER: Yes.

13 [REDACTED] [REDACTED] So all the way down  
14 the hallway.

15 MR. PALMER: Yes.

16 [REDACTED] [REDACTED] Can you talk to him  
17 about eBay? - - get this.

18 [REDACTED] [REDACTED] We talked a little bit about  
19 eBay before. I think you told us that Matt's  
20 [REDACTED] sold a painting on eBay?

21 MR. PALMER: Yes, he had said she sold a  
22 painting on eBay for \$2000 and I pretty, now  
23 that we talk about this more, I do believe that  
24 we might have researched that to see what  
25 happened with that painting. It was just out of

1 curiosity when he said that he had sold it.

2 [REDACTED] [REDACTED] Yeah. Do you have an eBay  
3 account or does Mary--

4 MR. PALMER: [Interposing] No, Mary does.  
5 And--well, she doesn't have an eBay account. We  
6 don't have that. But you can get access--

7 [REDACTED] [REDACTED] [Interposing] She just signs  
8 up and--do you guys do it together?

9 MR. PALMER: - - never go on eBay. No. I  
10 did it several times on my cell phone.

11 [REDACTED] [REDACTED] You did. You searched it?

12 MR. PALMER: Not that subject but - -  
13 equipment or other items - - . But I do believe  
14 that out of curiosity we did use her computer to  
15 go on eBay and look at the picture for some  
16 reason--and matter of fact, the picture that was  
17 sold for \$2000, that's the picture of--that's  
18 the picture of that, the police officer--no, no.  
19 No, he wasn't a cop. He was the - - Sopranos.

20 [REDACTED] [REDACTED] Wait. I thought the picture  
21 that sold for 2000 was President Obama.

22 MR. PALMER: No. That's not correct.

23 [REDACTED] [REDACTED] That's not correct.

24 [REDACTED] [REDACTED] So not President  
25 Obama.

1 MR. PALMER: No, but he did mail the  
2 President Obama to somebody and somebody had  
3 bought that I believe. But I believe that's how  
4 that - - .

5 [REDACTED] [REDACTED] [Interposing] So that what  
6 you're saying - - \$2000 painting?

7 MR. PALMER: That's what Matt told me that  
8 he got for it.

9 [REDACTED] [REDACTED] So the Obama painting or...

10 MR. PALMER: No. The \$2000 would be the  
11 Soprano guy. He had gotten - - . - - painting,  
12 what's that?

13 [REDACTED] [REDACTED] Tony Soprano.

14 MR. PALMER: That's the one.

15 [REDACTED] [REDACTED] Okay. He got \$2000 for that.  
16 And Matt told you that.

17 MR. PALMER: Yes, he did.

18 [REDACTED] [REDACTED] What painting did you research  
19 when you looked it up--

20 MR. PALMER: [Interposing] That was the only  
21 one.

22 [REDACTED] [REDACTED] The Soprano one.

23 MR. PALMER: Yeah.

24 [REDACTED] [REDACTED] And when was that?

25 MR. PALMER: Well, I guess that would be

1 three months ago, four months ago? I'm not--  
2 I'm vague on these dates.

3 [REDACTED] [REDACTED] Did you see on eBay what it  
4 sold for or are you basing that based on what  
5 Matt told you?

6 MR. PALMER: I thought it said \$2000. I'm  
7 not sure. I'm not sure. I don't recall.

8 [REDACTED] [REDACTED] Okay. Fine. But did Matt tell  
9 you also?

10 MR. PALMER: Yes. Matt said it sold for  
11 \$2000. That he had gotten \$2000 for the  
12 picture.

13 [REDACTED] [REDACTED] That's the Soprano  
14 picture.

15 MR. PALMER: Yes.

16 [REDACTED] [REDACTED] And you never bought or sold  
17 any of these paintings on eBay.

18 MR. PALMER: No. Oh, no.

19 [REDACTED] [REDACTED] Or any other--

20 MR. PALMER: [Interposing] No. I only kept  
21 them for just our own personal - - .

22 [REDACTED] [REDACTED] Right. So you never sold them,  
23 bought them from anyone. Did you give them to  
24 other family members or friends?

25 MR. PALMER: Yes, I did.

1           [REDACTED]   [REDACTED]   Okay.   Which ones did you  
2   give?  
3           MR. PALMER:   [Interposing]   I gave one to [REDACTED]  
4   [REDACTED]  
5           [REDACTED]   [REDACTED]   You gave one to [REDACTED] [REDACTED].  
6           MALE VOICE:   I have to - - .   Okay?   Real  
7   quick?  
8           [REDACTED]   [REDACTED]   What's that?  
9           MALE VOICE:   I have--  
10          [REDACTED]   [REDACTED]   [Interposing] Oh, yeah, yeah,  
11   yeah.   You can continue.  
12          MR. PALMER:   I gave one to [REDACTED] [REDACTED] [REDACTED]  
13   [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
14          [REDACTED]   [REDACTED]   [Interposing] What's your  
15   [REDACTED] [REDACTED] [REDACTED]  
16          [REDACTED]   [REDACTED]   [REDACTED]  
17          [REDACTED]   [REDACTED]   And [REDACTED] last name?  
18          MR. PALMER:   [REDACTED]  
19          [REDACTED]   [REDACTED]   Can you spell it?  
20          MR. PALMER:   [REDACTED]  
21          [REDACTED]   [REDACTED]   Okay.   And what's [REDACTED] address,  
22   [REDACTED]  
23   [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
24   [REDACTED]  
25   [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]



1 MR. PALMER: No. [REDACTED] rings a bell.

2 I've got to think about that town. [REDACTED]

3 [REDACTED] [REDACTED] [REDACTED]

4 [REDACTED] [REDACTED] It's [REDACTED]?

5 MR. PALMER: Yeah, it's [REDACTED] [REDACTED] [REDACTED]

6 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

7 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

8 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

9 [REDACTED] [REDACTED] [REDACTED] [REDACTED]

10 MR. PALMER: I believe that's what's it's  
11 called, yes.

12 [REDACTED] [REDACTED] Do you recall what painting  
13 that was you gave to [REDACTED] [REDACTED]?

14 MR. PALMER: That would be [REDACTED] [REDACTED]. [REDACTED]

15 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

16 [REDACTED] [REDACTED] [REDACTED]

17 [REDACTED] [REDACTED] And what about [REDACTED] [REDACTED]

18 MR. PALMER: My [REDACTED] [REDACTED] [REDACTED] [REDACTED]

19 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

20 [REDACTED] [REDACTED] And were they all painted by  
21 Matt?

22 MR. PALMER: Yes.

23 [REDACTED] [REDACTED] And you provided him a picture  
24 so he could--

25 MR. PALMER: [Interposing] Yes.

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1 | ██████████ ██████████ --copy?
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2 MR. PALMER: Yes.

3           ████████████████████ And what time frame were these  
4   particular pictures?

5 MR. PALMER: - - would have to - - I think I  
6 - - them for Christmas presents. Because they  
7 had come up. I didn't mail them to them. They  
8 had come to the house and I had given them to  
9 them. Well, now, that's not true. Because I  
10 think we took--when we went down to [REDACTED] [REDACTED] [REDACTED]

14           ██████ ██████ And that was during  
15      Christmastime?

16 MR. PALMER: Well, no. Christmastime was  
17 when [REDACTED] had come up and I handed him his  
18 picture. But when Mary and I had taken our  
19 vacation, we went to [REDACTED] [REDACTED] [REDACTED]

And when was that, [REDACTED] [REDACTED]

22 MR. PALMER: Well, she's only been down  
23 there once so it would have been-- - - give that  
24 to her? I don't know. I don't know if I  
25 brought it down there but I didn't mail it to

1       them. Either she had come up here and I gave  
2       it to her--and that seems to ring a bell more.  
3       But I can't be accurate on that.

4       ██████ ██████ Okay. If you're not accurate  
5       that's okay.

6       ████████████████████ ██████████ Now do they know  
7       where they came from?

8       MR. PALMER: I don't think so.

9       ████████████████████ ██████████ You don't think so?

10       MR. PALMER: I just told them that I had  
11       them painted for them. I may have told them  
12       that an inmate painted them but I'm not sure.

13       ████████████████████ ██████████ You might have  
14       mentioned?

15       MR. PALMER: I may have. Said it was done  
16       by an inmate but I don't...

17       ██████ ██████ Do you recall if you mentioned  
18       Matt's name or Sweat's name to them?

19       MR. PALMER: None of the pictures were done  
20       by Sweat.

21       ██████ ██████ Just Matt.

22       MR. PALMER: Yes.

23       ██████ ██████ But did you ever mention his  
24       name or...

25       MR. PALMER: I don't know but I believe Matt

1 signed the painting.

2 [REDACTED] [REDACTED] Oh, he signed them.

3 MR. PALMER: I think so. He signed all of  
4 his paintings.

5 [REDACTED] [REDACTED] So they know where they came  
6 from then.

7 MR. PALMER: I don't know that I told them  
8 that an inmate painted them. I think I told  
9 everybody that we just had them, I hired an  
10 artist to do them, or to an outside agency - - .

11 [REDACTED] [REDACTED] What about any other  
12 paintings that you might have provided to  
13 friends or--

14 MR. PALMER: [Interposing] Those are the -  
15 - --

16 [REDACTED] [REDACTED] Well, that's just  
17 two.

18 MR. PALMER: Yes. There would be one for--  
19 there's one for [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

20 [REDACTED] [REDACTED] [REDACTED]  
21 [REDACTED] [REDACTED] And where is that?

22 MR. PALMER: That would be at [REDACTED]

23 [REDACTED] [REDACTED] He doesn't know it was painted by an  
24 inmate.

25 [REDACTED] [REDACTED] But it's signed.

1 MR. PALMER: Yeah, just it's signed by  
2 Matt is the name.

3 [REDACTED] Okay. And where is [REDACTED]  
4 [REDACTED]; where is that located?

5 MR. PALMER: He'll have two paintings. [REDACTED]  
6 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
7 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] And we, they  
8 bought a frame. That picture will be hanging  
9 over the fireplace. And the other one will be  
10 in the hallway right there.

11 [REDACTED] [REDACTED] And that's [REDACTED] [REDACTED]

12 MR. PALMER: Yes, [REDACTED].

13 [REDACTED] [REDACTED] What's the address?

14 MR. PALMER: Well, I don't know but I can  
15 tell you where it is. [REDACTED] [REDACTED] [REDACTED] [REDACTED]

16 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
17 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
18 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

19 [REDACTED] [REDACTED] Okay, it's on - - [REDACTED] [REDACTED]  
20 [REDACTED] [REDACTED] It will be on the right hand side.

21 [REDACTED] [REDACTED] It's on [REDACTED]

22 [REDACTED]  
23 [REDACTED] [REDACTED] It's on [REDACTED] [REDACTED] [REDACTED]  
24 [REDACTED] [REDACTED] I believe I know what building he's  
25 talking about.

1           [REDACTED] [REDACTED] And what's  
2           [REDACTED] last name?  
3           MR. PALMER: [REDACTED] [REDACTED] [REDACTED]  
4           [REDACTED] [REDACTED] What?  
5           MR. PALMER: [REDACTED]  
6           [REDACTED] [REDACTED] [REDACTED]  
7           MR. PALMER: I believe is the correct name.  
8           [REDACTED] [REDACTED] What's [REDACTED] last  
9           name again?  
10          MR. PALMER: [REDACTED] They weren't  
11          married.  
12          [REDACTED] [REDACTED] Oh. Spell that,  
13          please.  
14          MR PALMER: [REDACTED]  
15          [REDACTED] [REDACTED] [REDACTED]  
16          MR. PALMER: [REDACTED]  
17          [REDACTED] [REDACTED] [REDACTED] right?  
18          MR. PALMER: [REDACTED]  
19          [REDACTED] [REDACTED] And when did those  
20          photographs or paintings or pictures go to her  
21          or go to--  
22          MR. PALMER: Just--  
23          [REDACTED] [REDACTED] --or go to [REDACTED]  
24          house?  
25          MR. PALMER: [REDACTED] when did I give that to

1 him? It would have been in the last year or -  
2 - eight months.

3 [REDACTED] [REDACTED] And one is Mary's  
4 father?

5 MR. PALMER: Yes. That would be the pencil  
6 drawing.

7 [REDACTED] [REDACTED] And what was the  
8 other one again?

9 MR. PALMER: A picture of [REDACTED] [REDACTED]

10 [REDACTED]

11 [REDACTED] [REDACTED] Okay.

12 [REDACTED] [REDACTED] Have you ever used your phone,  
13 your Smart Phone to transmit these pictures to  
14 other folks?

15 MR. PALMER: I could have. That seems  
16 reasonable--

17 [REDACTED] [REDACTED] [Interposing] And why would you  
18 do that?

19 MR. PALMER: Just to send them to them.  
20 Just to let them see the pictures I believe.  
21 Yeah.

22 [REDACTED] [REDACTED] And where did you--do you  
23 remember if you ever used your phone to take  
24 pictures inside the cell when Matt was working  
25 on them?

1 MR. PALMER: No.

2 [REDACTED] [REDACTED] Are you sure about that?

3 MR. PALMER: Oh, yeah. Oh, I'm sure of that  
4 because I know I just brought that phone in that  
5 one time.

6 [REDACTED] [REDACTED] One time. Okay.

7 MR. PALMER: Yes.

8 [REDACTED] [REDACTED] So let me go back over this  
9 again. So there's, the earlier photograph of  
10 President Obama sold for \$2000 is not correct?

11 MR. PALMER: That's true, that's not  
12 correct.

13 [REDACTED] [REDACTED] It's Tony Soprano.

14 MR. PALMER: That I believe was the truth,  
15 correct, yes.

16 [REDACTED] [REDACTED] And there's three pictures that  
17 are outstanding, [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

18 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

19 [REDACTED]

20 MR. PALMER: Yes. That is correct.

21 [REDACTED] [REDACTED] So it's a total of four, right?

22 MR. PALMER: Yes.

23 [REDACTED] [REDACTED] And they were all gifts?

24 MR. PALMER: Yes.

25 [REDACTED] [REDACTED] Is there anything



1       else, Gene, that right now you re-thought that  
2       you want to change from earlier, after we've  
3       talked some more?

4               MR. PALMER:  No, I think I'm pretty  
5       accurate--the time frames may be not correct.

6               ██████ ██████  What do you mean by the time  
7       frames?

8               MR. PALMER:  I mean when they were, asked  
9       for specific things.

10              ██████ ██████  Yeah, something like--

11              MR. PALMER:  [Interposing] I might not be  
12       correct on those just out of lack of memory on  
13       some of the exact - - and the times they may  
14       have taken place.

15              ██████ ██████  Okay, let me ask you this.  
16       Since we've talked a few times, you have a great  
17       deal of expertise in the jail.  You know how it  
18       works better than anyone.

19              MR. PALMER:  Yes.

20              ██████ ██████  No question.

21              MR. PALMER:  Okay.

22              ██████ ██████  Why don't you tell me from  
23       start to finish how you think they escaped.  If  
24       you had to tell the story, if someone asked you-  
25       -

1           MR. PALMER: [Interposing] Okay. Can I  
2 tell the story without you stopping me?

3           ██████ ██████ Yes, I promise I won't do that.

4           MR. PALMER: Okay. Well, like I said now  
5 that I'm trying to move me backwards.

6           ██████ ██████ Yes.

7           MR. PALMER: I can see that because--see  
8 with that, the one picture that was burned,  
9 Marilyn Monroe, that was highly detailed and  
10 here's how he--here's how this all first  
11 started. He laid it out on his bed on his  
12 pillow so as you walked down the gallery you  
13 would see them. And when I saw that I said,  
14 whoa, that's pretty good. But he made two  
15 Marilyn Monroes and he had sold one or mailed it  
16 out or whatever happened to the first one. For  
17 some reason I think it went to the street. I  
18 don't know how. He went - -. But he had asked  
19 me, he goes do you want one of those? And I go  
20 Jesus Christ, that looks pretty good. I said,  
21 yeah. So he made this one of Marilyn Monroe  
22 that was like highly detailed. Looking back, I  
23 can see why he painted highly detail. And then  
24 he drew--he goes, well, do you want one in  
25 pencil also? And he sketched it in pencil also.

1 So now after I accepted the first one then he  
2 kept coming back, well, do you want, do you want  
3 somebody in the family drawn or, you know,  
4 friends or whatever relative. And that's how I  
5 started, you know, bang, bang, bang, you know?  
6 Now, back to how they escaped, I'm not sure if  
7 they cut those panels with an electric cutter or  
8 if they used a Skil saw, I mean hacksaw blades.  
9 Because, but I think you could detect that  
10 because if you want to take the panel and insert  
11 it into the wall, you can see the gap and you  
12 can make those measurements to see if it was  
13 hack saw blade or if it was actually, you know,  
14 - - . Or you could probably look at the scar,  
15 you know. But anyway, nevertheless, when - -  
16 said that that whole wall shook and they spoke  
17 about a hole punch on the media, so when I heard  
18 that I said well, then he had to start this hole  
19 somehow. Whether he took a hacksaw blade and  
20 slowly cut into the wall and scratched it out -  
21 - would take time. But they did have time on  
22 their side. But that wouldn't be true because

23

1	2	3	4	5	6	7	8	9	10	11	12
---	---	---	---	---	---	---	---	---	----	----	----

[REDACTED] That - - logical that the

1 hole punch was used to - - hole started. Then  
2 - - cut down, which that means is that it  
3 wouldn't be very much - - that it wasn't an  
4 electrical tool because you - - kick that wall  
5 like that. All you would have to do is take a  
6 blade and just put it up and start cutting. So  
7 that leads me to believe that that - - have used  
8 a hacksaw blade to get out of that. But that's  
9 a lot of cutting. And I don't know how long he  
10 had the saw blades - - . So if that was true,  
11 then they used hacksaw blades and you would have  
12 to have numerous blades to perform that task and  
13 not only in the cell but on this cell here too.  
14 Now backing up here, maybe what took place was,  
15 I'm going to say Sweat already had his hole cut  
16 and maybe at the last minute Matt kicked his  
17 out. But why would you kick it out if you're  
18 already cut it? You wouldn't have to kick it so  
19 you just cut a little, the last part, what was  
20 the last part of the thing. So those are two  
21 different - - how one could do that. And once  
22 they got out, I want to believe that due to  
23 Matt's size and age or maybe he wasn't the one  
24 that went into the catwalk and went down - - .  
25 Because, because what had happened here, that's

1 the other thing here, is when this also rings  
2 a bell. When we went and got that weight  
3 machine, that universal, that's four square  
4 things so there's a lot of bolts to it. So when  
5 we went and got that, I had permission to bring  
6 the inmates to dismantle it from where it was  
7 and - - which they didn't use, dismantle it and  
8 then transport it in the block. Which we did.  
9 I had several inmates and we move it. But see  
10 what had happened, Sweat went up there and he  
11 hand drew the whole thing in 3D, bolts,  
12 everything. He was very--he wasn't good with  
13 his portraits. He can draw a bird or a scenery  
14 like a forest, something like that, but he  
15 couldn't do-- - - better at his portraits. Matt  
16 was showing him how to get better at that. And  
17 he did get better at it but nothing like what  
18 Matt was.

19 So after he drew that on a piece of paper,  
20 he dismantled it and then we brought it in the  
21 block and then he, from looking at the picture,  
22 the drawing, he put it back together. So he was  
23 very intelligent in that aspect. So that makes  
24 me believe that he went into the tunnels first  
25 and scoped everything out mathematically. I

1 think he had more of a mathematical mind than  
2 Matt did. And then very possibly, at the very  
3 end of the, when he--but see, here's the thing.  
4 That was the chance that they were taking that  
5 if you cut that wall out, well, now you've  
6 committed yourself. So, but each time they did  
7 the wall, I'm pretty sure what they did was they  
8 took tape, it's reasonable that you would tape  
9 it back up and then paint over it. That's where  
10 the block - - . And then you - - significant  
11 cut. Because I don't know how many times Matt  
12 may have gone down there but I think that Sweat  
13 was - - engineer than Matt in how to get out.  
14 Because [background noise] and you don't want to  
15 be going down there without a flashlight and  
16 that's where the--those headlights that we  
17 talked about, the - - lights that she gave them,  
18 that's where those come into play [background  
19 noise] because you don't want to--there's part  
20 of it that's not lit up and you get down there  
21 and - - few minutes - - very difficult. So then  
22 you've got all the hot pipes. So--I saw--  
23 because when the escape first happened, we all  
24 went to the basements in the - - in the basement  
25 pipe. There's like four or five of us and we

1 started following that--but there had already  
2 been another crew that had gone through  
3 previous. And at the very end there was a hole  
4 in wall about that high up, nothing like that  
5 but like that. And they went through there but  
6 we didn't go through there. We stopped at that  
7 point because they told us to stay there to  
8 watch that hole. So that--Sweat would have,  
9 and/or both went through there. Now I didn't  
10 follow that any further because when we did - -  
11 we never climbed up through that part, myself  
12 and Keith. And there was other times there was  
13 another officer the other time I had done it but  
14 I don't recall who that was. But nevertheless,  
15 I didn't get to see the time that they cut into  
16 or how they cut into that big - - but they did  
17 tell me at the jail that this seemed like - - .

18 So I guess that would have been this, the  
19 big pipe, but I don't know, I didn't see how  
20 they had gotten into that big pipe. But then  
21 when they got to the pipe, I have claustrophobia  
22 so I assume the pipe is like this big or  
23 something. I didn't get the exact measurements,  
24 but I did get to see, because when you come  
25 around the back of the shops, you can see that

1     it was cut, that - - . But here we know this  
2     is the part where the tools come into play. The  
3     power tools. Now I was under the understanding  
4     that they got all the way, he walked--because  
5     there's numerous tunnels. When there's  
6     construction that goes on there, like I said,  
7     what they did, the administration had approval,  
8     whoever approved it, that these metal boxes that  
9     had all the construction tools, were kept in the  
10    basement - - the steam pipes, secure padlock.  
11    And it's my belief that they cut the padlock  
12    with a hacksaw blade or - - and then took the  
13    tools up.

14           But here's the thing. See, once you cut  
15    that lock then you don't have another lock to  
16    put on it because of the construction, when the  
17    construction crew comes back, they're going to  
18    see that their padlock was cut. So that tells  
19    me that, that week - - , well, it depended on  
20    whether they knew the construction - - Monday  
21    through Friday was when those construction crews  
22    come in so they would have had a whole, that - -  
23    crew was working - - wasn't going to show up. I  
24    don't know how they would know their schedule  
25    because they wouldn't have access to seeing



1     those guys go in in the steam pipes.  So  
2     however they got into that big pipe, that's  
3     where that hole punch thing--but still, even  
4     though if you had a hacksaw blade, you would  
5     have cut the padlock off of the tool box and you  
6     would have taken the--they had power tools down  
7     there.  I don't know what power tools they had,  
8     even if they had something like a - - cut that.  
9     But it was said up at jail that they thought  
10    that, how could that, be cut that because when  
11    you crawl through the pipe - - but Sweat wasn't  
12    that big of a fella that he would--but how  
13    would--because you had to keep your hands  
14    forward they said.  I guess the way they move,  
15    you have to keep your hands forward and then  
16    move like a worm on his back and then possibly  
17    he was able to, I guess, do it like this where  
18    if it was cut from top to the outside.  Because  
19    other people had said that the cuts were precise  
20    as if, I believe they didn't overlap very much.  
21    It looked like it was more effectively cut from  
22    the outside.  I don't know that to be true.  
23    Because how could you have cut the outside of  
24    that pipe?  Because to do that then you would  
25    have had to come--well, you would have--well,

1       there's two ways down here. Either they had a  
2       construction crew that would have gone to that  
3       pipe and cut it--but how would they have gotten  
4       to that pipe? Because I don't think, there was  
5       no--those big pipes went through a wall. So I  
6       don't know that there was any access. But  
7       that's not true either.

8               There was no access from the jail going out  
9       but they said that if you went, when those  
10      convicts - - that pipe and came out of the pipe,  
11      they went up through the manhole cover. There  
12      was different stories about how that was cut  
13      because there was a security chain that I was  
14      told that was cut and the welds were cut. But  
15      it was also said that all they had to do when  
16      they got out of that pipe was walk straight down  
17      through the powerhouse and they were out the  
18      door. And I don't know that the powerhouse door  
19      was locked. I never did hear - - but I would  
20      reasonably believe that would have been secured.

21              So that's the theory that I see that might  
22      be the most reasonable. Now the other thing was  
23      whether there was outside help. So--

24              [REDACTED] [REDACTED] [Interposing] Yeah, what do you  
25      think about that?

1           MR. PALMER: I'm going to have to--I  
2 wouldn't doubt that there was. I wouldn't doubt  
3 that there was. But then again that's not true  
4 either because if they had outside help, if that  
5 individual had come from the powerhouse and cut  
6 the pipe then there would be no need to cut that  
7 manhole cover. Because the individual, if there  
8 was outside help and the individual cut that  
9 pipe then he would have told them that all  
10 you've got to do is go straight down to the  
11 powerhouse. And that was out of sight. - -  
12 manhole covers in the middle of the street and  
13 you got street lights on. So that, that...

14           ██████████ ██████████ It could be, it  
15 could have been other people.

16           MR. PALMER: Another person who had assisted  
17 them.

18           ██████████ ██████████ Did you speculate -  
19 - ?

20           MR. PALMER: Yes, but still, how did Sweat  
21 know to get to that pipe that that wouldn't get  
22 to that - - . Now - - while back, not a while  
23 back - - . I don't exactly how many years back,  
24 but they had lost blueprints at the jail of the  
25 pipe system and they didn't bother looking into

1       it. It came out on - - power where these  
2       blueprints were stolen or taken. And they  
3       thought it was an inmate [REDACTED] [REDACTED] [REDACTED]  
4       [REDACTED] But they never did spend a lot of time  
5       looking for those. And it just--because that  
6       had come up that possibly [REDACTED] had these.  
7       But then again, if you could prove that to be  
8       correct or not, was when did Matt transfer into  
9       the jail. That would, that could prove, or, - -  
10      alleges that when Matt transferred into jail,  
11      maybe somebody - - blueprints and they sold them  
12      to him. That could be how they gained access to  
13      that.

14      [REDACTED] [REDACTED] See, I didn't interrupt you  
15      through the whole story.

16      MR. PALMER: No.

17      [REDACTED] [REDACTED] I wanted to but I  
18      couldn't [laughter]. And I do want, we just  
19      have to--

20      [REDACTED] [REDACTED] - - . I take offense - -  
21      [laughter].

22      [REDACTED] [REDACTED] Listen. As far as  
23      the notebooks or the notebook--

24      MR. PALMER: [Interposing] Yes.

25      [REDACTED] [REDACTED] Okay?

1 MR. PALMER: Yeah, or loose paper.

2 [REDACTED] [REDACTED] Did you keep names  
3 and the numbers of inmates who owed you for  
4 maybe a TV set there?

5 MR. PALMER: No, but I did put down--now  
6 that you bring that up, I did put down inmates  
7 names and put TV or put get TV for them. I  
8 would make my notations. Because when a  
9 convict--when a convict come up, say can you get  
10 me a TV. Well, I couldn't immediately produce  
11 the TV so I'd make that notation from memory and  
12 I'd write it up saying get TV for inmate blah,  
13 blah, blah, whatever his name would be.

14 [REDACTED] [REDACTED] And generally you  
15 were getting a TV or those who were helping you.

16 MR. PALMER: Correct.

17 [REDACTED] [REDACTED] Is that an infraction?

18 MR. PALMER: Well, technically maybe. I  
19 haven't been in the package room. In the  
20 package room, officers may - - Superintendent  
21 Balars [phonetic] who is retired, he had told me  
22 - - Gene, when you're - - TVs just make sure  
23 they're legal. So what I'd do is I did make - -  
24 stamp them with the - - stamp and I would sign  
25 my name to them. Every one - - put someone

1        else's name. I would always put my name on  
2        the TVs. And how the TV didn't have a serial  
3        number on the back which is a thin piece of  
4        paper that they can scratch off easily. A lot  
5        of the TVs that I use for - - were confiscated  
6        TVs from other inmates that didn't have permits.  
7        And whether the grievance office or one of the  
8        superintendent or anybody called me up and said  
9        hey, can we get this guy a TV because other  
10       blocks, other officers have their rats and they  
11       knew they could go up through me and I'd get a  
12       TV so they'd come up and say, hey I need a TV.  
13       I'd say sure, - - . They they'd get me the name  
14       and number and then when I was able to obtain  
15       the TV, because if there is--they come in flow.  
16       Sometimes you don't have a lot of them,  
17       sometimes you do. And then I would take the--  
18       but what I would always do is I always put down  
19       1-800 number on it so I would know personally  
20       what had gone on. Because see, the other thing  
21       that happened was--

22       [REDACTED] [REDACTED] [Interposing] First  
23       time I'm going to do this. I'm going to raise  
24       my hand like I'm in school because I don't want  
25       to interrupt you. I want you to call on me. I

1 want you to laugh. Take a break, all right?  
2 It's been a long day. The dresser drawer that  
3 the tools are in with the missing bottom two  
4 drawers,--

5 MR. PALMER: [Interposing] Yes.

6 [REDACTED] [REDACTED] What color is it?

7 MR. PALMER: It should be brown.

8 [REDACTED] [REDACTED] Brown? Is it wood?

9 MR. PALMER: Yeah, wood. Wood. Correct.

10 [REDACTED] [REDACTED] And who do those  
11 tools belong to? Are they your tools? Are  
12 they, they were the correctional facility's?

13 MR. PALMER: No, they're our tools. They  
14 were tools that were there that--

15 [REDACTED] [REDACTED] [Interposing] Ours  
16 meaning? Okay. Mary's tools and your tools.

17 MR. PALMER: Yes.

18 MALE VOICE: The screwdriver may have been--

19 [REDACTED] [REDACTED] When did you take  
20 them up? - - ?

21 MR. PALMER: Oh, no. Oh, no. Oh, no.  
22 Right after they wired their cells I brought  
23 them back home. Oh, I didn't leave them there.

24 [REDACTED] [REDACTED] All right. I just  
25 have to ask.

1           MR. PALMER: No. I understand. Where  
2 were we?

3           [REDACTED] [REDACTED] Well, you brought those tools  
4 back and forth every time they did that,  
5 correct?

6           MR. PALMER Always. Twice. Twice. Because  
7 when we had one, when Sweat wired his cell then  
8 I brought them back home and then Matt has to  
9 have the other cell and I brought them back in  
10 the second time. So only twice.

11          [REDACTED] [REDACTED] Twice, to do all of  
12 them. - - . That two times would complete all  
13 the wiring.

14          MR. PALMER: Yes.

15          [REDACTED] [REDACTED] Okay. You mentioned  
16 the weight machine.

17          MR. PALMER: Yes.

18          [REDACTED] [REDACTED] When did that get  
19 moved?

20          MR. PALMER: That was a Sunday. And boy, I  
21 got bitched out about that.

22          [REDACTED] [REDACTED] Do you remember kind  
23 of what - - how many months ago?

24          MR. PALMER: That was just recently. I  
25 don't think - - in there 60 days, 90 days if



1       that.    If that.

2       [REDACTED] [REDACTED]   And where did it get  
3 moved from?

4       MS. PALMER:   It got moved from the hospital,  
5 first floor, the old hospital--

6       [REDACTED] [REDACTED]   [Interposing] Hang on for a  
7 second.   Do you need me, sir?

8       MALE VOICE:   - - need you for a second.

9       [REDACTED] [REDACTED]   From the hospital.  
10 I'm sorry.

11       MR. PALMER:   The old hospital, the first  
12 floor.   And then we brought it through the  
13 hallway and brought it into A block.

14       [REDACTED] [REDACTED]   And the inmates  
15 helped--

16       MR. PALMER:   [Interposing] Well, yes, I had  
17 to have the manpower to move that.   There was  
18 all of 10 inmates.

19       [REDACTED] [REDACTED]   And they disassembled  
20 it--

21       MR. PALMER:   [Interposing] Well, Sweat  
22 disassembled it.

23       [REDACTED] [REDACTED]   And do you think  
24 something--there's parts missing from it?

25       MR. PALMER:   Oh, no, no, it was all put back

1 together.

2 [REDACTED] [REDACTED] It was.

3 MR. PALMER: Yes.

4 [REDACTED] [REDACTED] Did they have tools  
5 to do that?

6 MR. PALMER: Yes, I got that out of the  
7 arsenal.

8 [REDACTED] [REDACTED] Was there any tools  
9 missing?

10 MR. PALMER: No.

11 [REDACTED] [REDACTED] And you mentioned  
12 the tunnel checks. That you've been down in  
13 those tunnels before.

14 MR. PALMER: Yes but it had been a while  
15 because in the past they used to do them once a  
16 month but then they stopped. Then it got to  
17 every six months and it kind of stopped because  
18 of the money, and it went once a year I believe.

19 [REDACTED] [REDACTED] So when was the last  
20 time you were down in the tunnels?

21 MR. PALMER: Gees. I betcha all of two  
22 years ago if not three.

23 [REDACTED] [REDACTED] And it's your  
24 understanding now they go down once a year to  
25 check them?

1 MR. PALMER: They were but I suspect - -  
2 going to make them do them once a month.

3 [REDACTED] [REDACTED] Okay. Did Matt talk  
4 to you at all about the contractors?

5 MR. PALMER: No.

6 [REDACTED] [REDACTED] Conversations with  
7 contractors coming and going?

8 MR. PALMER: No, I don't recall that.

9 [REDACTED] [REDACTED] Let me just check -  
10 - . Did you want something to eat, Gene?

11 MR. PALMER: This is going to be  
12 embarrassing because I know you're going to go  
13 to their houses and confiscate the papers,  
14 pictures and stuff but that's my fault.

15 [REDACTED] [REDACTED] Yeah, you know, we're going to  
16 do it but very professionally and respectfully  
17 but we always do.

18 MR. PALMER: Yeah, that's going to hurt  
19 [REDACTED] heart because that's [REDACTED] [REDACTED]

20 [REDACTED] [REDACTED] Yeah, I understand. [REDACTED] [REDACTED]  
21 [REDACTED]

22 MR. PALMER: [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

23 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

24 MR. PALMER: Mary will get mad at me because  
25 I can't remember the exact date. Okay, - - when

■

■ ■ ■ ■ ■ ■ ■ ■

■ ■ ■ ■ ■ ■ ■ ■ And I recall, -

3 - .

4 ■ ■ ■ ■ ■ ■ ■ ■

■ ■ ■ ■

6 MR. PALMER: ■ ■ ■ ■

7 MALE VOICE: ■ ■ ■ ■

■ ■ ■ ■ PALMER: ■ ■ ■ ■

9 ■ ■ ■ ■ ■ ■ ■ ■ I know I had this. I

10 just don't want to go back and look through my

11 notes. And what was her first name again?

12 MR. PALMER: ■ ■ ■ ■

13 ■ ■ ■ ■ ■ ■ ■ ■ And do you remember her

14 address that real quick?

15 MR. PALMER: ■ ■ ■ ■ ■ ■ ■ ■ [phonetic].

16 ■ ■ ■ ■ ■ ■ ■ ■ And what was that city again?

17 MR. PALMER: ■ ■ ■ ■

18 ■ ■ ■ ■ ■ ■ ■ ■ And where is that? ■ ■ ■ ■

■ ■ ■ ■ ■ ■ ■ ■

20 MR. PALMER: Yeah, ■ ■ ■ ■ ■ ■ ■ ■

21 ■ ■ ■ ■ ■ ■ ■ ■ And then ■ ■ ■ ■ ■ ■ ■ ■

■ ■ ■ ■ ■ ■ ■ ■ And then two ■ ■ ■ ■ ■ ■ ■ ■. Total of

23 four. Well, I think ■ ■ ■ ■ ■ ■ ■ ■ I'll continue to

24 call him ■ ■ ■ ■ ■ ■ ■ ■

25 MR. PALMER: - - .

1           ████████ ██████████ I'll call him ██████████ He's  
2 busy doing a bunch of things.

3           MR. PALMER: I'm telling you the truth about  
4 ██████████ ██████████ ██████████ ██████████. It will be embarrassing  
5 for them.

6           ████████ ██████████ I understand.

7           MALE VOICE: Why do they want the pictures?

8           ████████ ██████████ I'm not exactly sure if we do  
9 yet. I think we're going to talk about that  
10 some more.

11          MR. PALMER: That will be shameful for me.

12          ████████ ██████████ Like I said, if we do take the  
13 pictures, it will be--

14          ████████████████████ ████████████████████ [Interposing] We're  
15 not going to bust down the door.

16          ████████ ██████████ We're going to be very  
17 respectful and very, very professional.

18          ████████████████████ ████████████████████ And you know what?  
19 I will tell them personally if I'm there that  
20 you're cooperating with the investigation. So  
21 it's, you know, just leave it like that.

22          MALE VOICE: Yeah, don't even contact them  
23 about it because it might not even.... Just don't  
24 worry about that.

25          MR. PALMER: I could have protected them by

1 not telling you - - --

2 [REDACTED] [REDACTED] [Interposing] Yes, be  
3 truthful.

4 MR. PALMER: - - telling me to be truthful--

5 [REDACTED] [REDACTED] [Interposing] Exactly. Just be  
6 truthful.

7 MR. PALMER: Some of the questions being  
8 asked, I just said if I can't tell a story, I  
9 have a hard time maintaining my memory.

10 [REDACTED] [REDACTED] Listen, a lot of us, including  
11 all of us, we mis-remember things. That's just  
12 human nature. So we appreciate you thinking  
13 about--

14 MR. PALMER: [Interposing] Like these  
15 telephone questions. That really bothers me  
16 about that, about my phone, about calling  
17 Mexico. That doesn't--that doesn't compute.

18 [REDACTED] [REDACTED] Well, do you  
19 remember if Mary ever went to Mexico or--

20 MR. PALMER: [Interposing] Oh, no. She--

21 [REDACTED] [REDACTED] [Interposing] She  
22 never traveled?

23 MR. PALMER: No.

24 [REDACTED] [REDACTED] Any of [REDACTED] [REDACTED]  
25 travel to Mexico?

1           MR. PALMER: No but [REDACTED] went to  
2 Italy. Not [REDACTED]--went to El Salvador. That's  
3 right, his wife is from El Salvador. But they  
4 didn't use my phone.

5           [REDACTED] [REDACTED] Well, we'll get to the bottom  
6 of it. We'll get that resolved.

7           MR. PALMER: - - tell me. [Background  
8 noise] - - what that is. That phone - - used  
9 for that.

10          [REDACTED] [REDACTED] We will resolve that.

11          MR. PALMER: Thank you.

12          [REDACTED] [REDACTED] Okay. Anything else that we  
13 need to check about the notebook?

14          [REDACTED] [REDACTED] I just have to ask  
15 if you will give us a written statement.

16          [REDACTED] [REDACTED] Yes, what we talked about  
17 [crosstalk].

18          MR. PALMER: Yes, - - .

19          [REDACTED] [REDACTED] Okay. - - review it and you -  
20 -sign this?

21          MR. PALMER: Yes, that's fine. I'm  
22 comfortable - - request from me.

23          [REDACTED] [REDACTED] Okay.

24          [REDACTED] [REDACTED] Do you want some  
25 water?

1 MR. PALMER: Yeah, I'll take another one,  
2 please.

3 [REDACTED] [REDACTED] Okay, where are you  
4 currently residing at?

5 [Crosstalk]

6 MALE VOICE: Do you want us to leave or--

7 MALE VOICE: [Interposing] - - right now.  
8 Like I'm - - .

9 [REDACTED] [REDACTED] You know what? All  
10 right. We're not going to ask him a thing. - -  
11 . Do you want to walk him out?

12 MALE VOICE: - - .

13 MR. PALMER: I don't know.

14 [REDACTED] [REDACTED] You don't know where  
15 you're currently staying?

16 MR. PALMER: Not anymore.

17 [REDACTED] [REDACTED] Okay. I'm going to  
18 put [REDACTED] [REDACTED].

19 MR. PALMER: Yes, that - - .

20 [REDACTED] [REDACTED] Because that is your  
21 residence. Okay?

22 MR. PALMER: Yes, it is.

23 [REDACTED] [REDACTED] Any other  
24 arrangement is temporary at this point, right?

25 MR. PALMER: Correct.



1           [REDACTED] [REDACTED] You're tense, man.

2 Relax.

3           MR. PALMER: No, I'm not but I'm ashamed.

4           [REDACTED] [REDACTED] What?

5           MR. PALMER: I'm ashamed.

6           [REDACTED] [REDACTED] Don't beat yourself  
7 up. Make things better. Like I tell everybody  
8 I know, and I've done the same thing, but I'm at  
9 the point in my life, I'm sick of beating myself  
10 up. Are you helping us? By you helping us,  
11 okay, you're going to make, hopefully, it a  
12 little easier for us to find Sweat--

13           MR. PALMER: [Interposing] Yes, I - - --

14           [REDACTED] [REDACTED] --And to find Matt.

15           MR. PALMER: Yes.

16           [REDACTED] [REDACTED] One. I think after  
17 what was done to you. That's not a bad thing on  
18 a personal level. More important to me, you're  
19 making, you're doing what law enforcement does.  
20 And that's what you primarily are, right? A law  
21 enforcement officer. You're making society a  
22 little safer.

23           MR. PALMER: - - but there's another thing.

24           [REDACTED] [REDACTED] I'm sorry. I do  
25 have to interrupt at times just because I'm in

1 the process of this and, again I apologize.

2 But what's your zip code?

3 MR. PALMER: My zip code, ■ ■ ■■■■■■

4 ■■■■■■ ■■■■■■ All right, tell me  
5 the other thing now. I apologize.

6 MR. PALMER: Everybody looked up to me in  
7 the jail. I was the go to guy.

8 ■■■■■■ ■■■■■■ I know, it's tough.  
9 It's tough. It's tough. I mean, I'm not going  
10 to tell you--I'm not going to tell you don't sit  
11 down and contemplate what was done because you  
12 should. I'm not going to tell you you made  
13 mistakes because you don't need to hear it. You  
14 know you made mistakes.

15 MR. PALMER: Yes, I did.

16 ■■■■■■ ■■■■■■ What I'm going to  
17 tell you is from this point on--

18 MR. PALMER: [Interposing] - - --

19 ■■■■■■ ■■■■■■ -- Change. okay?  
20 Change what's ever in your personality. Okay?  
21 Keep the good and change the bad. Okay? Change  
22 it for the better. You're old enough and you're  
23 intelligent enough to know what you should do.  
24 From now on, do it, okay? Today is an example  
25 of it. They're requesting that you assist us,

1       okay? You know, all right, that this cannot  
2       hurt and that it may help us. And if it does,  
3       that's good for everybody and more importantly,  
4       it's good for society. Okay? Get these two  
5       guys off the street.

6             All right. I have to wait. Get back into  
7       this. I promised - - .

8             MR. PALMER: Yes.

9             [REDACTED] [REDACTED] I just want you to  
10       relax a little bit. It's been a long day. I  
11       want you to relax and let's just get through  
12       this.

13            MR. PALMER: You know, one thing about this  
14       is - - is that the Department of Corrections - -  
15       Matt's history was and what do they do, they put  
16       him on - - .

17            [REDACTED] [REDACTED] Yeah, they're jerks,  
18       right?

19            MR. PALMER: And they said that they  
20       couldn't, couldn't restrict this guy's program  
21       committee because it would be, whatever,  
22       political reason they gave out at building two  
23       why they didn't want you to, you know, they  
24       didn't have a problem with taking out [REDACTED] and  
25       putting - - with the woman, if it was, you know,

1       they didn't want to hear about that.  You  
2       don't put a child molester with a child.  Don't  
3       worry, - - just not going to look at his crime,  
4       just going to put him in the room and--

5               ██████████ ██████████ - - quite  
6       understandable what you're saying.  It makes  
7       sense.  But unfortunately--

8               MR. PALMER:  [Interposing] Yes.

9               ██████████ ██████████ You and I both know  
10      that; we work for the state.  And things aren't  
11      always going to make sense.

12              MR. PALMER:  No.

13              ██████████ ██████████ Okay.

14              MR. PALMER:  How much trouble do you think  
15      I'm in?  I'm in a lot of trouble.

16              ██████████ ██████████ At this point I  
17      don't know.  It depends.  It depends a lot on  
18      how this situation resolves itself.

19              MR. PALMER:  Okay.

20              ██████████ ██████████ Are you in some  
21      trouble?  Yes.  I think you knew that from the  
22      start.

23              MR. PALMER:  Will I be in trouble  
24      criminally?

25              ██████████ ██████████ At this point I

1 don't know. That's up to the District  
2 Attorney's office. What I will say is you have  
3 to understand something. Do you have children?

4 MR. PALMER: No.

5 [REDACTED] But the [REDACTED]

6 [REDACTED]

7 MR. PALMER: [REDACTED] --

8 [REDACTED] [Interposing] Miss -

9 -

10 MR. PALMER: -- [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED] So right now all over America

14 there's - - and these two escaped criminals,  
15 these dangerous felons are out there right now.  
16 So more information you give - - you're the one  
17 that needs to--you're doing the right thing  
18 right now.

19 MR. PALMER: Thank you.

20 [REDACTED] Whether you gain any  
21 benefit from that, I would like to think gain  
22 benefit. That's the District Attorney's - - .  
23 I can't see - - . Okay? But I'm not the  
24 District Attorney.

25 MR. PALMER: No, but - - --

1           [REDACTED] [REDACTED] I'm only - - . I  
2 always think it's a good thing--I think I'll you  
3 - - forget about criminal charges, straight out.  
4 There's a reason people become alcoholics,  
5 there's a reason people become drug addicts.  
6 They have a hard time living with themselves,  
7 okay? I think you coming down here on your own-  
8 -

9           MR. PALMER: [Interposing] Oh, I wanted to--  
10          [REDACTED] [REDACTED] --on your own, and  
11 talking to us on your own free will with your  
12 attorney, I think if I was you, and I could just  
13 put myself in your shoes--I really can't but  
14 what I would do, I would leave here today, take  
15 a deep breath and feel a lot better knowing I  
16 did the right thing. And I think it would make  
17 it a lot easier for me to live with myself.

18          MR. PALMER: Thank you.

19          [REDACTED] [REDACTED] You know? You  
20 helped right some wrongs.

21          MR. PALMER: Thank you.

22          [REDACTED] [REDACTED] And hopefully other  
23 people will see that.

24          MR. PALMER: Thank you.

25          [REDACTED] [REDACTED] Again, I can't

1 discuss - - case because your attorney--

2 MR. PALMER: [Interposing] I understand.

3 That's--

4 [REDACTED] [REDACTED] Well, I can but  
5 technically I'd rather not because that will  
6 just - - and he's actually here on your behalf.  
7 Okay?

8 MR. PALMER: [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

9 [REDACTED]

10 [REDACTED] [REDACTED] [Interposing] That's  
11 a tough one.

12 MR. PALMER: --a lot of things that happened  
13 after [REDACTED] [REDACTED] [REDACTED], a lot of things, everybody,  
14 even went and saw a medium and that lady told -  
15 - details that you couldn't quibble, I mean,  
16 the lady that said I see your father with one  
17 rose. What's that mean? Well, he never had  
18 enough money to buy the mother a dozen roses so  
19 he would give her one rose. Of many details  
20 that - - and she couldn't tell you what your  
21 dog's name. She [background noise]. She would  
22 come right out and tell you - - . And when she  
23 died, she went three days before she died, she  
24 was incoherent, and all of a sudden she woke up  
25 for 45 seconds and she said she saw her mother,

1 she spoke briefly and then she had died. But  
2 the pain was great, the pain was very great and  
3 as they increased the morphine the lady - - we  
4 had researched - - she - - 120 measurements, it  
5 would reasonably stop your heart. And I  
6 remember when the lady had said we're going to  
7 go to 120 and we knew what that, but that's okay  
8 because she didn't suffer no more. So that was  
9 a positive for us. So I'm good about that.

10 MALE VOICE: - - .

11 MR. PALMER: Okay.

12 [REDACTED] [REDACTED] Yeah, I have to  
13 explain to you your New York State Miranda  
14 warnings. Okay, I'm going to read it as they're  
15 written on this voluntary statement. We will  
16 then print it. I'll go take the time. We'll  
17 then print it, okay, and we'll go over it again  
18 and you'll sign each box if you could wait a  
19 second, okay?

20 MR. PALMER: Yup. Mm-hm.

21 [REDACTED] [REDACTED] If you want - - .  
22 The statement starts off, New York State Police,  
23 Voluntary Statement. County of Clinton. Start  
24 time will be 8:56. In the Town of Plattsburgh.  
25 Date of June 20th, 2015. I, Gene E. Palmer,



1 date of birth, [REDACTED], --excuse me. You are  
2 how old?

3 MR. PALMER: Fifty-seven.

4 [REDACTED] [REDACTED] Fifty-seven. Born  
5 on [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

6 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED], has been

7 advised by Investigator [REDACTED] [REDACTED] of the  
8 New York State Police as follows: I have the  
9 right to remain silent and I do not have to make  
10 any statements if I do not want to. Do you  
11 understand that?

12 MR. PALMER: Yes.

13 [REDACTED] [REDACTED] If I give up that  
14 right, anything I do say can and will be used  
15 against me in a court of law. Do you understand  
16 that?

17 MR. PALMER: Yes.

18 [REDACTED] [REDACTED] I have the right to  
19 have a lawyer present before making any  
20 statements or at any time during this statement.  
21 Do you understand that?

22 MR. PALMER: Yes.

23 [REDACTED] [REDACTED] Okay. If I should  
24 decide that I do want a lawyer and cannot afford  
25 to hire one, a lawyer will be appointed for me

1 free of charge and I may have that lawyer  
2 present before making any statements. Do you  
3 understand that?

4 MR. PALMER: Yes.

5 [REDACTED] [REDACTED] I also understand  
6 that I have the right to stop at any time during  
7 this statement and remain silent and have a  
8 lawyer present.

9 MR. PALMER: Yes.

10 [REDACTED] [REDACTED] Okay. Most of the  
11 time when a lawyer is present, these are now  
12 read. I read them anyway. It's - - discretion.  
13 Okay? I fully understand these rights and at  
14 this time I agree to give up my rights and make  
15 the following statement. Do you agree with  
16 that?

17 MR. PALMER: Yes.

18 [REDACTED] [REDACTED] Yes? Okay.

19 [REDACTED] [REDACTED] There's one other areas I want  
20 to discuss with him but I don't want to mess up  
21 your--

22 [REDACTED] [REDACTED] No, go ahead.

23 [REDACTED] [REDACTED] The issue of shanks, right? In  
24 the cell block when you recover shanks, what do  
25 you do with them?

1 MR. PALMER: You would dispose of them.

2 [REDACTED] [REDACTED] And how do they get disposed  
3 of?

4 MR. PALMER: Give them right to the arsenal  
5 and they would dispose of them.

6 [REDACTED] [REDACTED] Now do you bring them all, one  
7 at a time or do you put them in a box and bring  
8 them several at a time? How does that work?

9 MR. PALMER: You would just hand them to  
10 them.

11 [REDACTED] [REDACTED] Hand them to the arsenal?

12 MR. PALMER: Yeah.

13 [REDACTED] [REDACTED] And where is the arsenal  
14 located?

15 MR. PALMER: In the front of the jail, when  
16 you first walk in where the watch commander is.  
17 It's where you draw your keys.

18 [REDACTED] [REDACTED] Okay. Do they give you a  
19 receipt for that, take notes of what you turned  
20 in?

21 MR. PALMER: No.

22 [REDACTED] [REDACTED] They don't. So there's no  
23 tracing mechanism for shanks that you get?

24 MR. PALMER: No.

25 [REDACTED] [REDACTED] At any time at all, this is

1 really important, I know we're very, very  
2 tired, did you give a shank--

3 MR. PALMER: [Interposing] No.

4 [REDACTED] [REDACTED] --to Matt and Sweat?

5 MR. PARKER: No.

6 [REDACTED] [REDACTED] A 007? A stiletto?

7 MR. PALMER: They call that - - --

8 [REDACTED] [REDACTED] What is a 007 stiletto?

9 MR. PALMER: I can only guess it's a shank.

10 [REDACTED] [REDACTED] It's a shank? Do you know how  
11 it looks?

12 MR. PALMER: I've heard that - - .

13 [REDACTED] [REDACTED] You heard it?

14 MR. PALMER: No, - - seen one.

15 [REDACTED] [REDACTED] Absolutely certain that you  
16 never brought it in with you.

17 MR. PALMER: Oh, no.

18 [REDACTED] [REDACTED] A shank.

19 MR. PALMER: Oh, no.

20 [REDACTED] [REDACTED] Okay.

21 [REDACTED] [REDACTED] Twenty-eight years,  
22 you've never seen one? Twenty-eight years,  
23 you've never seen a 007?

24 MR. PALMER: I may have but I didn't know  
25 that that's--I just heard that phrase recently.

1           ████████ ██████ Okay. And how did you hear  
2 that phrase recently?

3           MR. PALMER: I think maybe through CIU  
4 people had used that phrase before.

5           ████████ ██████ Okay.

6           MR. PALMER: Yeah.

7           ████████████████ ██████████████ You do understand  
8 that if you did--and let me finish. If you did  
9 provide a shank, come back, there's nothing we  
10 can do about that now. But the officers out  
11 there on the scene, our brothers and sisters,  
12 which is the law enforcement--

13          MR. PALMER: [Interposing] Yes.

14          ████████████████ ██████████████ They need to know  
15 about that for their own safety.

16          MR. PALMER: No, at no time did I ever offer  
17 any weapon. Never given a--

18          ████████████████ ██████████████ Have you ever seen  
19 him with a weapon - - --

20          MR. PALMER: [Interposing] No, he never--

21          ████████████████ ██████████████ Could have told  
22 somebody else you provided it, may he got it  
23 somewhere else.

24          MR. PALMER: No, no.

25          ████████████████ ██████████████ The toothbrush with

1 the tin can that you mentioned before?

2 MR. PALMER: Yes.

3 [REDACTED] [REDACTED] In your locker that  
4 you got rid of?

5 MR. PALMER: Yes.

6 [REDACTED] [REDACTED] Okay. Did you take  
7 that off Matt?

8 MR. PALMER: No, that came off of the bottom

9 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED]

18 [REDACTED] [REDACTED] Okay. Okay, this is

19 going to be, the final statement is question and

20 answer format. Present during the statement

21 which is taking place at the interview room in

22 the New York State Police barracks at

23 Plattsburgh is Gene Palmer, his attorney [REDACTED]

24 [REDACTED], Special Agent [REDACTED] [REDACTED] of the FBI

25 and Investigator [REDACTED] [REDACTED], New York State

1 Police. Q: in the question and answer  
2 statement denotes questions asked by  
3 [REDACTED] [REDACTED] and/or Special [REDACTED] [REDACTED]  
4 A: denotes responses given to the aforementioned  
5 questions asked by Investigator [REDACTED] [REDACTED]  
6 and/or Special Agent [REDACTED] [REDACTED]. Do you  
7 understand that?

8 MR. PALMER: Can you repeat that again?

9 [REDACTED] [REDACTED] It's a Q: and A:.  
10 I'm going to write this down. Q1 will be a  
11 question that we ask you. A1 will be your  
12 response to that question. Q2 will be the  
13 second question--

14 MR. PALMER: [Interposing] Oh, I understand.

15 [REDACTED] [REDACTED] And A2, in layman's  
16 terms.

17 MR. PALMER: Okay.

18 [REDACTED] [REDACTED] Okay. Gene, can you  
19 read and write English?

20 MR. PALMER: Yes.

21 [REDACTED] [REDACTED] English language.  
22 Okay. Have you been advised of your Miranda  
23 warnings?

24 MR. PALMER: Yes.

25 [REDACTED] [REDACTED] Who advised you?

1 MR. PALMER: You did.

2 [REDACTED] [REDACTED] Okay. Gene, what is  
3 the highest level of formal education that you  
4 completed?

5 MR. PALMER: [REDACTED] [REDACTED] [REDACTED].

6 [REDACTED] [REDACTED] Okay. Gene, when  
7 did you begin your employment with New York  
8 State Corrections?

9 MR. PALMER: 8/24/87.

10 [REDACTED] [REDACTED] Say that one more  
11 time?

12 MR. PALMER: 8/24/87.

13 [REDACTED] [REDACTED] How long have you  
14 worked as a Corrections Officer in the Clinton  
15 County Correctional Facility?

16 MR. PALMER: About 28 years.

17 [REDACTED] [REDACTED] So 27 years. And  
18 what was your start date there?

19 MR. PALMER: At Clinton?

20 [REDACTED] [REDACTED] Yeah.

21 MR. PALMER: Uh--

22 [REDACTED] [REDACTED] So 27 years, right?

23 MR. PALMER: Yeah, - - months it will be 28-  
24 -but when I got to Clinton I did one, seven days  
25 at Sing Sing, I did--



1           INVESTIGATOR FUROLESO: [Interposing] Do  
2 you remember your start day or no?

3           MR. PALMER: It would have been in November  
4 I believe of 8--

5           [REDACTED] [REDACTED] Over 27 years?

6           MR. PALMER: Because I started in 87. I was  
7 at Greenhaven for one year so that brings us to  
8 88, so I think November 88 I believe.

9           [REDACTED] [REDACTED] Thank you. How long  
10 have you been assigned to A block?

11          MR. PALMER: Eight years.

12          [REDACTED] [REDACTED] How long have you  
13 known Inmate Richard Matt?

14          MR. PALMER: - - first see him I'm not sure  
15 but I would have to say he had been in the block  
16 since 2009 I believe.

17          [REDACTED] [REDACTED] How long did you  
18 know Inmate David Sweat?

19          MR. PALMER: Maybe five years.

20          [REDACTED] [REDACTED] - - he was on the  
21 block too?

22          MR. PALMER: Yeah.

23          [REDACTED] [REDACTED] During the time  
24 period-- - - couple extra - - ?

25          MR. PALMER: What's that?

1           [REDACTED] [REDACTED] I'm being a  
2 cliffhanger, let me write out - - question.  
3 Okay. During the time period that you have  
4 known both of the aforementioned inmates, have  
5 you provided any unauthorized items to either or  
6 both of them?

7           MR. PALMER: Unauthorized would be the paint  
8 --

9           [REDACTED] [REDACTED] [Interposing]  
10 Everything that you weren't authorized to  
11 provide them.

12           MR. PALMER: That would be the paint and the  
13 paint brushes, I guess the tools. That would be  
14 it. Tools - - mentioned the screwdriver and  
15 that would be it.

16           MALE VOICE: Food.

17           MR. PALMER: Oh one time I brought the food,  
18 yes. That - - the food that she wanted me to  
19 bring over. And the tubes of paint that she had  
20 in there. And then the--

21           [REDACTED] [REDACTED] [Interposing] Let's  
22 go through it, okay? Now I do have to interrupt  
23 and I apologize, I know that drives you crazy.  
24 But you would like to go to sleep tonight right?  
25 Now-- - - stay here all night. Me, I live off

1 coffee. Okay, let's just chronologically,  
2 step by step go through everything we've gone  
3 through. Okay, as far as the paint--

4 MR. PALMER: [Interposing] Yes.

5 [REDACTED] Okay.

6 MR. PALMER: I provided paint.

7 [REDACTED] - - . You purchased  
8 and provided, right?

9 MR. PALMER: Twice, yes.

10 [REDACTED] For who? Richard  
11 Matt--

12 MR. PALMER: Matt. And Sweat.

13 [REDACTED] Okay. On two  
14 occasions for Rich and Matt. All right.

15 MR. PALMER: And all the paint--

16 [REDACTED] [Interposing] How  
17 many times did you buy paint for Richard?

18 MR. PALMER: I believe one time but the  
19 paint brushes too. I believe so, yeah. No,  
20 let's back that up. Twice. It was white paint  
21 both times. Titanium paint and zinc. I believe  
22 those are colors. And there were paint brushes  
23 too.

24 [REDACTED] And when was that  
25 approximately? When did you buy the zinc?

1           MR. PALMER: That would be two years ago  
2 maybe? Whatever I had told you previously that  
3 would be it.

4           [REDACTED] [REDACTED] Okay, so which one  
5 is it. What two years ago? Which paint? The  
6 zinc paint?

7           MR. PALMER: White zinc, yes.

8           [REDACTED] [REDACTED] And any other paint?  
9 Any other paint?

10          MR. PALMER: I believe that's all. I think  
11 so, yes.

12          [REDACTED] [REDACTED] When did you provide  
13 that?

14          MR. PALMER: Approximately two years ago.

15          [REDACTED] [REDACTED] While doing - - .

16          MR. PALMER: Yeah, I believe so.

17          [REDACTED] [REDACTED] And what was the  
18 other one? Zinc and what?

19          MR. PALMER: I think Titanium what they  
20 called it. Titanium.

21          [REDACTED] [REDACTED] Okay, what else?

22          MR. PALMER: One tube of acrylic paint for  
23 Sweat.

24          [REDACTED] [REDACTED] I believe you said  
25 that was white? It was a large tube, correct?

1 MR. PALMER: Large tube, yes.

2 [REDACTED] [REDACTED] And when was that?

3 MR. PALMER: That would have been about,  
4 around the same time, like two years ago.  
5 Because I only did it once for Sweat.

6 [REDACTED] [REDACTED] That wasn't more  
7 recent? That was not more recent?

8 MR. PALMER: I don't think so. I don't  
9 believe so.

10 [REDACTED] [REDACTED] What else did you  
11 provide?

12 MR. PALMER: That would be--

13 [REDACTED] [REDACTED] [Interposing] Did  
14 you have tools?

15 MR. PALMER: Tools, yeah.

16 [REDACTED] [REDACTED] Okay. And this was  
17 within the last eight months? That you started  
18 providing tools? On - - separate occasions,  
19 right?

20 MR. PALMER: Just two times, yeah. To wire  
21 their cells.

22 [REDACTED] [REDACTED] Well, you provided  
23 four times. You brought them back and forth two  
24 times.

25 MR. PALMER: Correct, that would be right.

1           [REDACTED] [REDACTED]    Okay, you provided  
2    Sweat one 90 degree angle - - and needle nose  
3    pliers with a red handle and black metal tip and  
4    one flat head screwdriver described as being  
5    four to six inches in length with a red and  
6    white handle, okay?

7           MR. PALMER:   Yes, I think it's more like,  
8    yeah, four or five inches to be accurate.

9           [REDACTED] [REDACTED]    Four to five?   Okay.

10          MR. PALMER:   I guess so.

11          [REDACTED] [REDACTED]    Sure.

12          MR. PALMER:   About the size of your pen.

13          [REDACTED] [REDACTED]    Sure.   Okay, now on  
14    Friday, which was May 29th, because June 1st you  
15    were on vacation.

16          MR. PALMER:   Yes.

17          [REDACTED] [REDACTED]    Friday, which is May  
18    29th, okay?

19          MR. PALMER:   Yeah.

20          [REDACTED] [REDACTED]    Okay.   You presented  
21    with the care package from Joyce Mitchell, the  
22    green bag containing the meat, the hamburger  
23    meat, right?   She puts it in her freezer because  
24    you can't take it.   You've got to come back  
25    later.   You forget about it because you got

1 busy. On Saturday--

2 MR. PALMER: Yes.

3 [REDACTED] [REDACTED] Okay? You take--so  
4 we have the dates. Saturday the 3rd, that's  
5 when you had to put the dates on here, you bring  
6 that meat or that package inclusive of that meat  
7 to Matt and give it to him through his cell,  
8 right?

9 MR. PALMER: Yeah.

10 [REDACTED] [REDACTED] Okay. I'm  
11 reiterating. I'm going over what we said  
12 because it's going to down in statements form  
13 which you're going to have a chance to read and  
14 [background noise] okay?

15 [REDACTED] [REDACTED] Are you all right? Are you  
16 doing okay?

17 MR. PALMER: Yes.

18 [REDACTED] [REDACTED] I want to make sure that you're  
19 able to - - here. - - [laugh]

20 [REDACTED] [REDACTED] - - ?

21 [REDACTED] [REDACTED] Yeah, reading aloud - - .

22 [REDACTED] [REDACTED] Who me? - - you  
23 still like him. He's got that voodoo. He's - -  
24 mojo going on.

25 [REDACTED] [REDACTED] I know one thing, any time I

1 read that bullshit when they're saying that  
2 the agencies aren't cooperating - - .

3 MALE VOICE: That's not the case. That's  
4 for sure.

5 [REDACTED] [REDACTED] Okay, on May 29th,  
6 2015 Joyce Mitchell left me a package or left a  
7 package for me to give to Inmate Matt. Okay?  
8 It was left in the freezer located in tailor  
9 shop number one. The package was described as a  
10 green colored woven cloth bag containing the  
11 following items. One pound of ground beef,  
12 approximately 12 inches in length by five inches  
13 in width by two inches in height. Correct?

14 MR. PALMER: I guess that would be correct,  
15 yeah. That's about--

16 [REDACTED] [REDACTED] [Interposing] that's  
17 why I always put approximately.

18 MR. PALMER: Yeah, approximately would work,  
19 yeah.

20 [REDACTED] [REDACTED] All right, I'll put  
21 approximately or over, I think you said it was  
22 over one pound of ground beef, frozen. The beef  
23 was packaged--okay. With a white piece of  
24 Styrofoam?

25 MR. PALMER: Yes.



1           [REDACTED] [REDACTED] And plastic Saran  
2           Wrap.

3           MR. PALMER: Correct.

4           [REDACTED] [REDACTED] The plastic wrap did  
5           not have a price sticker on it.

6           MR. PALMER: No.

7           [REDACTED] [REDACTED] Along with the beef  
8           were two tubes of paint and one small green  
9           cloth sack. Correct?

10          MR. PALMER: I don't know if it was a sack  
11          but it was cloth.

12          [REDACTED] [REDACTED] [Interposing] Cloth  
13          item.

14          MR. PALMER: Yeah, cloth item.

15          [REDACTED] [REDACTED] Okay. Okay, now in  
16          the afternoon on May 30th, right? - - . You  
17          went to the freezer located in tailor shop  
18          number one and retrieved the green cloth bag.  
19          Right?

20          MR. PALMER: Yes.

21          [REDACTED] [REDACTED] Okay. And you then  
22          approached Richard Matt who was locked in his  
23          cell and passed the hamburger meat to him  
24          through his cell. Correct?

25          MR. PALMER: Yes.

1           [REDACTED] [REDACTED] The other items  
2 were also given to him, right?

3           MR. PALMER: The two tubes, yeah.

4           [REDACTED] [REDACTED] The remaining items  
5 in the bag were also given to him.

6           MR. PALMER: The remaining items, yeah.

7           [REDACTED] [REDACTED] What did you do with  
8 the bag?

9           MR. PALMER: I just gave the bag to him. I  
10 gave him the whole thing and said - - I want to  
11 know about this.

12          [REDACTED] [REDACTED] I don't know how - - .

13          [REDACTED] [REDACTED] Okay. Now what  
14 other items--so now we have the paint, the  
15 tools, the green bag containing the meat, the  
16 two tubes of paint that I identified, green  
17 cloth bag.

18          MR. PALMER: I believe that's all. Whatever  
19 I had said previous would be inaccurate I think.  
20 I believe that's all.

21          [REDACTED] [REDACTED] Okay. Just to  
22 remind you, you originally said within the last  
23 year you provided that paint. Now you're saying  
24 two years. I know you - - . Now it's your  
25 statement that you originally told me it was

1 within a year and that approximately eight  
2 months ago you provided Sweat with the--

3 MR. PALMER: [Interposing] No. Sweat was a  
4 long--before that, way before that. The acrylic  
5 paint.

6 [REDACTED] [REDACTED] It was way before that?

7 MR. PALMER: Yeah - - .

8 [REDACTED] [REDACTED] All right. That's  
9 fine.

10 [REDACTED] [REDACTED] Are you having trouble  
11 remembering because you're tired?

12 MR. PALMER: Yes, but--

13 [REDACTED] [REDACTED] I mean, do you--we'll type  
14 this up but do you mind if we sign it in the  
15 morning?

16 [REDACTED] [REDACTED] Can we just get it  
17 done? We're almost done.

18 [REDACTED] [REDACTED] Okay

19 [REDACTED] [REDACTED] Again, I don't want  
20 to force you to but we're almost done--

21 [REDACTED] [REDACTED] [Interposing] No, I know--

22 [REDACTED] [REDACTED] --to come back in  
23 the morning--

24 [REDACTED] [REDACTED] But - - .

25 [REDACTED] [REDACTED] I can't type it up

1 without him being here. It's got to be true  
2 and accurate.

3 [REDACTED] [REDACTED] No, no, I'm saying can we  
4 finish typing it up and then--I mean, I don't  
5 want him to sign it when he can't remember--

6 [REDACTED] [REDACTED] Are you having trouble  
7 remembering things or are you okay to sign this?

8 [REDACTED] [REDACTED] I just don't want him to sign  
9 something if he's having trouble remembering  
10 what--

11 [REDACTED] [REDACTED] Okay, can we finish  
12 it up and then you can review it with him and if  
13 he's not happy - -

14 [REDACTED] [REDACTED] - -

15 [REDACTED] [REDACTED] If there's any kind  
16 of confusion, I can make amendments to it, okay?

17 What it comes down to, you're not going to  
18 be forced to do anything so you can - - okay?

19 Okay, you cannot remember providing them  
20 with anything else. Correct?

21 MR. PALMER: Yes.

22 [REDACTED] [REDACTED] Okay. During the  
23 time period that you've known the aforementioned  
24 inmates, have you allowed them entrance into any  
25 unauthorized areas?

1 MR. PALMER: I don't know that would be an  
2 unauthorized because you can bring, like guys  
3 down there - - any type of work so--

4 [REDACTED] [REDACTED] [Interposing] Authorized is  
5 referring to inmates. It's an unauthorized  
6 areas for inmates - - .

7 MR. PALMER: Unless escorted.

8 [REDACTED] [REDACTED] Unless escorted?

9 MR. PALMER: Yes. Which I had done. Even  
10 though - - in the gallery, there's still the - -  
11 .

12 [REDACTED] [REDACTED] Okay. During the  
13 time that you have known David Sweat and Richard  
14 Matt have you brought them into any unauthorized  
15 areas?

16 MR. PALMER: It's not unauthorized as long  
17 as you're with the inmate on a catwalk--

18 [REDACTED] [REDACTED] [Interposing] Into  
19 any areas--

20 MR. PALMER: [Interposing] Unescorted.

21 [REDACTED] [REDACTED] --that they should  
22 not have went into--

23 MR. PALMER: No. Because you can bring them  
24 into those areas if you're with them. Which I  
25 was.

1           [REDACTED]   [REDACTED]   Okay.

2           MR. PALMER:   So that wouldn't follow under  
3 unauthorized.

4           [REDACTED]   [REDACTED]   Okay.   During the  
5 time period that you've known David Sweat, okay?  
6 Did you allow him to change the electrical  
7 wiring in the cell electrical boxes?

8           MR. PALMER:   Yes.

9           [REDACTED]   [REDACTED]   That's why we do  
10 this because it's your question and answer.  
11 It's my questions; your answers.   Okay?   All  
12 right, so this way we're clear.   Why did you  
13 allow Inmate Sweat to work on the electrical  
14 boxes?

15          MR. PALMER:   So they could cook.

16          [REDACTED]   [REDACTED]   Well, that's the  
17 result.   But why did you allow it?   Because Matt  
18 had asked--

19          MR. PALMER:   [Interposing] Matt had asked  
20 me.

21          [REDACTED]   [REDACTED]   Because Matt had  
22 asked me and you were doing him a favor, right?

23          MR. PALMER:   Yes.

24          [REDACTED]   [REDACTED]   Is that correct?

25 Did you know that David Sweat and Richard Matt

1 were going to escape?

2 MR. PALMER: No.

3 [REDACTED] [REDACTED] Well, they were  
4 going to attempt to escape. You know I'm typing  
5 a little more than no.

6 [REDACTED] [REDACTED] I'm going to step out for a  
7 second.

8 [REDACTED] [REDACTED] Okay. Do you feel  
9 that the assistance that you provided over the  
10 time period that you have known David Sweat and  
11 Richard Matt, over the time period that you have  
12 known David Sweat and Richard Matt, do you feel  
13 that the assistance that you provided them  
14 assisted them in escaping?

15 MR. PALMER: No.

16 [REDACTED] [REDACTED] Okay. Now, as we  
17 discussed this far, I'm putting no as the  
18 answer, okay? Do you want to leave it just no  
19 or do you want to explain no, not intentionally?  
20 That's all for your guys.

21 MR. PALMER: No, not intentionally. The  
22 question is--

23 [REDACTED] [REDACTED] Let me read the--I'm  
24 sorry, I changed my mind. Over the time period  
25 that you have known David Sweat and Richard Matt

1 do you feel that the aforementioned assistance  
2 that you provided them assisted with their  
3 escape? In other words, aforementioned in this  
4 statement.

5 MR. PALMER: No, not intentionally.

6 [REDACTED] [REDACTED] Yes, okay. Good.  
7 No. And I want you to explain this a little,  
8 okay? You don't have to when you don't have to  
9 give a statement. I would like you to explain  
10 this. I think it would be beneficial towards a  
11 - - , okay? The favors I provided them, well,  
12 why did you provide information? They would  
13 provide me with information around - - --

14 MR. PALMER: [Interposing] Yes, sir.

15 [REDACTED] [REDACTED] What kind of information would  
16 they provide you?

17 MR. PALMER: What was going on in terms of -  
18 - .

19 [REDACTED] [REDACTED] Matt provide me with  
20 information on inmates and the information, what  
21 kind of information?

22 MR. PALMER: Just what other inmates were  
23 doing.

24 [REDACTED] [REDACTED] Illegal acts they  
25 were committing or--



1 MR. PALMER: [Interposing] Yes.

2 [REDACTED] [REDACTED] I don't want it to  
3 be my words, I just--

4 MR. PALMER: [Interposing] Illegal acts.

5 [REDACTED] [REDACTED] You know,  
6 information could be a whole variety of things.

7 MR. PALMER: Illegal acts.

8 [REDACTED] [REDACTED] Within the facility,  
9 right?

10 MR. PALMER: Yes.

11 [REDACTED] [REDACTED] You didn't know  
12 anything about anything on the outside, did you?  
13 Okay, you did not realize, right?

14 MR. PALMER: Yes.

15 [REDACTED] [REDACTED] Or did you realize?

16 MR. PALMER: No.

17 [REDACTED] [REDACTED] You did not realize  
18 at the time that... Do you have any questions -  
19 - ?

20 [REDACTED] [REDACTED] We're fine.

21 [REDACTED] [REDACTED] Can you proofread  
22 this - - ?

23 [REDACTED] [REDACTED] - - do that?

24 [REDACTED] [REDACTED] - - asked if you wanted me to  
25 type because I - - peck method - - .

1 [REDACTED] [REDACTED] We'll get there.

2     An hour [laughing].

3            [REDACTED] [REDACTED] - - . Seriously. - - . Do  
4        you believe me?

5 MR. PALMER: Yes.

6            ██████████ ██████████ Long day for all of us.

7           [REDACTED] I don't know how you guys do  
8       it. Do you live in the area or do you live in  
9       Albany?

10        ██████████ I live downstate.

11                    [REDACTED] Oh, do you?

12      [REDACTED]   [REDACTED]   Nice area up here.

13      ██████████ Where downstate? - - .

14 [REDACTED] No, [REDACTED] [REDACTED].

15                    [REDACTED]                    Oh - - .

16           ██████ ██████ Not that far downstate.

17                    [REDACTED]   [REDACTED]   Do you know - - ?

18 [REDACTED] [REDACTED] No - - .

19 [REDACTED] He's from- - [REDACTED] [REDACTED] [REDACTED]

\_\_\_\_\_

[illegible][illegible]

23 [REDACTED] [REDACTED] [Interposing] Oh, okay.

24 [REDACTED] This area all the way down to

25 |     -   -   .

1           [REDACTED] [REDACTED] I grew up south.

2           [REDACTED] [REDACTED] Oh, did you?

3           [REDACTED] [REDACTED] Down in the New York area. How  
4 about yourself? From this area?

5           [REDACTED] [REDACTED] Yeah. I never thought I'd  
6 end up back here but it just worked out that  
7 way.

8           [REDACTED] [REDACTED] Where did you go to school?

9           [REDACTED] [REDACTED] [REDACTED] [REDACTED]. -  
10 - . Small school. And I worked in D.C. for a  
11 year. I lived in Albany for three years and I  
12 ended up back here.

13          [REDACTED] [REDACTED] Did you go to undergraduate  
14 there too?

15          [REDACTED] [REDACTED] - - . St. Lawrence County.  
16 New York - - .

17          [REDACTED] [REDACTED] Big state, New York.

18          [REDACTED] [REDACTED] - - . Westchester County - -  
19 . Like you've seen the map before. Even  
20 though it's bigger than that--

21          [REDACTED] [REDACTED] Above the Tappan Zee Bridge.  
22 It's considered Upstate New York.

23          [REDACTED] [REDACTED] My family and I when I was  
24 younger - - we were in an elevator in New York  
25 City, we were going to a Yankee game and

1       somebody asked - - Montreal. And - - Upstate  
2       New York - - Westchester - - or Yonkers. He was  
3       like - - . So what made you want to go into the  
4       FBI?

5       [REDACTED] [REDACTED] It just worked out that way.

6       [REDACTED] [REDACTED] Thank you.

7       MALE VOICE: You're welcome.

8       [REDACTED] [REDACTED] I have the FBI guy  
9       come in - - . So he click the spell check - -  
10      very smart. Okay. Where did you purchase them,  
11      at Michael's?

12      MR. PALMER: Yes.

13      [REDACTED] [REDACTED] - - purchased it  
14      also?

15      MR. PALMER: Yes.

16      [REDACTED] [REDACTED] And where was that?  
17      In - - ?

18      MR. PALMER: No, Consumers Square. It's off  
19      of - -

20      [REDACTED] [REDACTED] Consumers--

21      MR. PALMER: [Interposing] Square.

22      [REDACTED] [REDACTED] In Plattsburgh,  
23      right? One more question - - . How did Inmate  
24      Sweat access the electrical access--and I'm  
25      making reference to the previous question which

1        was why did you allow Inmate Sweat to work on  
2        the electrical box.

3 MR. PALMER: So he could cook.

4                   [REDACTED] [REDACTED] No, no. Well, you  
5       put that but how did Inmate Sweat access the  
6       electrical boxes, through where?

7 MR. PALMER: The catwalk.

8 [REDACTED] Which catwalk?

9 MR. PALMER: Three and six.

10 [REDACTED] [REDACTED] I allowed him into  
11 the catwalk located in--what did you call that,  
12 three and six? Section three? Group three?  
13 What.

14 MR. PALMER: Company three.

15 [REDACTED] [REDACTED] Company three.

16 MR. PALMER: Three Company.

17 [REDACTED] Of A block. Okay.

18 Now.... At any time did you assist Inmate Matt  
19 with hide paint for the purpose of being  
20 discovered during a cell inspection?

21 MR. PALMER: Yes.

22           ██████████ ██████████ Would you like to  
23   explain that?

24 MR. PALMER: [REDACTED]  
[REDACTED]

1       there.

2               ██████████ ██████████ I took two, two  
3 tubes, one tube? How many tubes were left at  
4 the time?

5               MR. PALMER: Two tubes.

6               ██████████ ██████████ Do you remember when  
7 that was about? What was that eight  
8 approximately eight months ago?

9               ██████████ ██████████ When you put the paint ██████████

██████████ ██████████ ██████████

11              ██████████ ██████████ You don't remember.

12              ██████████ ██████████ How long ago was that?

13              MR. PALMER: Oh, that would have been when  
14 that investigation goes - - .

15              ██████████ ██████████ During an  
16 investigation, I'll just put in what you  
17 remember. Investigation, Inmate Sweat, did not  
18 remember the time of the incident, this way we  
19 don't get time frame involved but the incident  
20 did occur, okay, I had--and now you had Inmate  
21 Matt bring the two oil based paint tubes that I  
22 had previously purchased for him out of his  
23 cell, correct? He brought them out of the cell,  
24 right?

25              MR. PALMER: Yes.

1           [REDACTED] [REDACTED] He followed me  
2 into--what catwalk number?

3           MR. PALMER: Three and six.

4           [REDACTED] [REDACTED] Catwalk three and  
5 six. I took the paint tubes from him and hid  
6 them--where?

7           MR. PALMER: [REDACTED] [REDACTED] [REDACTED] [REDACTED]

8           [REDACTED] [REDACTED] [REDACTED] [REDACTED] --

9           MR. PALMER: [Interposing] [REDACTED] [REDACTED]

10          [REDACTED] [REDACTED] [REDACTED] [REDACTED]. Can you  
11 think of any other questions?

12          [REDACTED] [REDACTED] No.

13          [REDACTED] [REDACTED] I'm just going to -  
14 - . And I've got to do what?

15          [REDACTED] [REDACTED] - - question 15. - - .

16          [REDACTED] [REDACTED] Okay, so that would  
17 just be 16. That what you mean?

18          [REDACTED] [REDACTED] Yeah. - - 17 then?

19          [REDACTED] [REDACTED] Yeah. I'll just  
20 correct it on this. Okay.

21          [REDACTED] [REDACTED] Yeah, did you - - already? - -  
22 17.

23          [REDACTED] [REDACTED] I'll print it out.

24 - - print it out. You guys can read it, make  
25 any corrections to it. Sign it, not sign it. I

1 don't--I want him to fully understand - -

2 Okay. Can we just over this one one more  
3 time? I know we asked this already. Over the  
4 time period that you've known David Sweat and  
5 Richard Matt, do you feel that the  
6 aforementioned assistance that you provided them  
7 assisted with the escape. And your answer is  
8 no, not intentionally.

9 MR. PALMER: Not intentionally assisted.

10 [REDACTED] [REDACTED] But looking back on it, I think  
11 that might--

12 [REDACTED] [REDACTED] So is it--so Matt  
13 provided you with information on illegal acts  
14 that inmates were committing within the  
15 facility--

16 MR. PALMER: [Interposing] Yes.

17 [REDACTED] [REDACTED] And he also provided  
18 you with the paintings--

19 MR. PALMER: [Interposing] Yes.

20 [REDACTED] [REDACTED] And in turn, Matt  
21 provided--you provided Matt with favors. Is  
22 that accurate?

23 MR. PALMER: Favors isn't the correct word,  
24 but...

25 [REDACTED] [REDACTED] No favors. Tell him



1 specifically what you did for him.

2 MR. PALMER: I guess if you want to describe  
3 it as favors--

4 [REDACTED] [REDACTED] No, I want you to  
5 describe it. I did describe it as favors but  
6 this is your statement. I'm not here to put  
7 words in your mouth.

8 [REDACTED] [REDACTED] What do you think that you--

9 [REDACTED] [REDACTED] - - favors - - .

10 [REDACTED] [REDACTED] How do you want him to  
11 describe that? Just tell them what you did and  
12 specifically what you - - .

13 MR. PALMER: - - .

14 [REDACTED] [REDACTED] What we talked--do you not  
15 feel that's your earlier--

16 MR. PALMER: - - .

17 [REDACTED] [REDACTED] Huh? What specifically did  
18 you do for Matt? A, what would you characterize  
19 what you did as a favor or whatever you want to  
20 call it, and then B, I think they're asking you  
21 specifically what you did.

22 [REDACTED] [REDACTED] So he provided you--  
23 let me just--we'll clear it up because there's  
24 no disagreement. Matt provided you with  
25 elaborate paintings.

1 MR. PALMER: Right.

2 [REDACTED] [REDACTED] Okay. And provided  
3 you with information on the illegal acts that  
4 inmates were committing within the facility.

5 MR. PALMER: Yes.

6 [REDACTED] [REDACTED] It's easier to  
7 understand this way?

8 MR. PALMER: Yes.

9 [REDACTED] [REDACTED] In turn, you  
10 provided him with favors, right? Things he  
11 asked you, right? So he's providing you  
12 information and you're providing him--we talked  
13 about that early. He provided you a favor and  
14 you provided him a favor, remember that?

15 MR. PALMER: Okay.

16 [REDACTED] [REDACTED] So is that accurate?  
17 So--

18 MR. PALMER: [Interposing] Yes.

19 [REDACTED] [REDACTED] Okay. So he  
20 provided you with elaborate paintings and  
21 information on illegal acts that inmates were  
22 committing within the facility. In turn, I  
23 provided him with favors such as--what were the  
24 favors that you did for him?

25 MR. PALMER: I supplied him the paint and

1 the paint brushes.

2 [REDACTED] [REDACTED] Him paint and  
3 brushes.. Movement of prisoners or inmates?

4 MR. PALMER: Yes.

5 [REDACTED] [REDACTED] And again, altering of the  
6 electrical boxes and so....

7 [REDACTED] [REDACTED] One or two paint brushes?

8 MR. PALMER: Two.

9 MALE VOICE: - - .

10 MALE VOICE: I went to law school.

11 [REDACTED] [REDACTED] I think I see it both ways.

12 MALE VOICE: Yeah.

13 [REDACTED] [REDACTED] All right. So I'm  
14 going to read this back to you. Make sure  
15 everything is cool with that. Over the time  
16 period that you have known David Sweat and  
17 Richard Matt, did you feel that the  
18 aforementioned assistance that you provided them  
19 assisted with their escape. Your answer was no,  
20 not intentionally. Matt provided me with  
21 elaborate paintings and information on the  
22 illegal acts that inmates were committing with  
23 the facility--within the facility, excuse me.  
24 In turn, I provided him with favors such as  
25 supplying him with paint, paint brushes--

1           ████████ ██████████ [Interposing] - - I think  
2 the term supplies would be better than favors, -  
3 - the term supplied.

4           MALE VOICE: One word.

5           ████████ ██████████ Such as--with supplies--

6           MALE VOICE: [Interposing] Art supplies.

7           ████████████████████ ████████████████████ Okay, hold on. I  
8 provided him with--

9           ████████ ██████████ [Interposing] Art supplies.

10          ████████████████████ ████████████████████ Hold on. We'll get  
11 there. Provided him with supplies, right? Such  
12 as paint, paint brushes--no. - - . How about  
13 we say this. In turn I provided him with  
14 benefits. Is that benefit for him to do those  
15 things? Is that accurate?

16          MR. PALMER: - - supplies.

17          ████████████████████ ████████████████████ You gave him paint,  
18 paint brushes, what's the--

19          MR. PALMER: [Interposing] Okay. Well, it  
20 would be the movement of inmates - - yes, that  
21 would be correct.

22          ████████████████████ ████████████████████ So should we  
23 characterize it benefits and then specifically  
24 put those things down? Is that accurate?

25          ████████ ████████████████████ I believe so. I mean, we - -

1 .

2 [REDACTED] [REDACTED] Okay. I want to go  
3 back to benefits.

4 [REDACTED] [REDACTED] - - --[crosstalk]--

5 [REDACTED] [REDACTED] Yeah, if you were a  
6 politician, it would - - . You know what?  
7 This, again, this is your statement [crosstalk].

8 [REDACTED] [REDACTED] That's what we'll go with,  
9 okay?

10 [REDACTED] [REDACTED] Speaking over - - .  
11 I apologize. Altering the electric boxes--

12 MALE VOICE: - - .

13 [REDACTED] [REDACTED] That's fine. That's fine.

14 [REDACTED] [REDACTED] And food.

15 MR. PALMER: Yes.

16 [REDACTED] [REDACTED] Do you want me to be  
17 more specific, hamburger meat?

18 MR. PALMER: Hamburger meat.

19 [REDACTED] [REDACTED] Okay, one more time.  
20 Did you know--let me just change that one. Over  
21 the time period that you have known David Sweat  
22 and Richard Matt, do you feel that the  
23 aforementioned assistance that you provided them  
24 assisted with their escape? And then your  
25 answer is, no, not intentionally. Matt provided

1 me with elaborate paintings and information  
2 on the illegal acts that inmates were committing  
3 within the facility.

4 MR. PALMER: Yes.

5 [REDACTED] [REDACTED] In turn, I provided  
6 him with benefits such as paint, paint brushes,  
7 movement of inmates, hamburger meat, altering of  
8 electrical boxes in the catwalk areas. I did  
9 not realize at the time that the assistance  
10 provided to them made their escape easier.

11 Is that accurate?

12 [REDACTED] [REDACTED] It's your statement, I mean,  
13 you have to be comfortable with--

14 MR. PALMER: - - sentence.

15 [REDACTED] [REDACTED] The last sentence?

16 MR. PALMER: The last two sentences.

17 [REDACTED] [REDACTED] In turn, I provided  
18 him with benefits such as paint, paint brushes,  
19 movement of inmates, hamburger meat, altering of  
20 electrical boxes in the catwalk areas. I did  
21 not realize at the time that the assistance  
22 provided to, how about Matt or Sweat, made their  
23 escape easier.

24 MR. PALMER: Correct.

25 [REDACTED] [REDACTED] I don't want to speak for

1 anybody - - thing with the wiring of the  
2 cell, he was doing it because he thought that--

3 [REDACTED] [REDACTED] [Interposing] Matt  
4 or Sweat, I'm sorry to interrupt.

5 [REDACTED] [REDACTED] Yeah. They were using it to--  
6 -his belief was that they were using it to cook  
7 whatever they were cooking.

8 [REDACTED] [REDACTED] Okay, as far as the  
9 electrical box--

10 [REDACTED] [REDACTED] [Interposing] - - .

11 [REDACTED] [REDACTED] Okay.

12 [REDACTED] [REDACTED] Not saying intentionally but  
13 I think that's not--

14 [REDACTED] [REDACTED] [Interposing]  
15 Absolutely. - - actually put that thing in the  
16 above-- - - question.

17 [REDACTED] [REDACTED] Okay, can we put that in there?

18 [REDACTED] [REDACTED] Well, I can just.

19 Maybe--you want me to add another sentence?

20 [REDACTED] [REDACTED] Sure.

21 [REDACTED] [REDACTED] Okay. The altering  
22 of the electrical boxes was to enhance their  
23 ability to cook in their cells.

24 MR. PALMER: Yes.

25 [REDACTED] [REDACTED] Are you comfortable

1 with that? That's a good point. That's a  
2 good point. I see it in its totality, if you  
3 read all the questions at one time - - look  
4 like. Even though it had nothing to do with it.

5 MR. PALMER: Yeah.

6 [REDACTED] [REDACTED] That is one word by  
7 the way. You are smart, see. - - FBI.

8 MR. PALMER: - - people to be in the FBI or  
9 - - .

10 [REDACTED] [REDACTED] No, - - statement--

11 [REDACTED] [REDACTED] You made a mistake [crosstalk].

12 [REDACTED] [REDACTED] Stop. I'm very good  
13 at many things. I'm very good at reading  
14 people. I know what you're doing to yourself.  
15 You started, again, going - - . Stop beating  
16 yourself up. You can't do anything about it.  
17 Are you a good person, do you do the good things  
18 in life?

19 MR. PALMER: I try to.

20 [REDACTED] [REDACTED] No, you don't try.

21 You do.

22 [REDACTED] [REDACTED] And we know you do, okay?

23 [REDACTED] [REDACTED] Your [REDACTED] [REDACTED].

24 That's a beautiful - - . Most people - - .

25 Give yourself a break. Take yourself a deep



1       breath.  You're being accountable for this,  
2       okay?  You're doing the right thing.  And move  
3       on with your life.  Be a good person from this  
4       point on.  Not that you were a bad person.  Be  
5       100 per cent good.  Okay?  That's what I try to  
6       do every day and sometimes I fall.  So what do I  
7       do?  I get back up.  I go that was a shitty day  
8       I had.  Let me try to make up for it.  Okay?

9               MR. PALMER:  - - for today, that would - -  
10       you've been here all day.

11       ██████████ ██████████ I - - really  
12       accurately depicts what happened.  Listen, I  
13       think you're a good man.  You made a mistake  
14       like we all do.  Stop looking in the rear view  
15       mirror.

16       ██████████ ██████████ Everyone keeps telling you the  
17       same thing, I mean, I met you for the first  
18       time.  I said that you made a mistake and I  
19       think you're a good person.  - - that I wouldn't  
20       want my name associated - - I would not even  
21       have wasted my time.  Honestly.

22       ██████████ ██████████ Well, that's, you  
23       know, that's true too.  Okay, I'm going to, I  
24       have to print out a couple copies.  Okay, we'll  
25       print out one copy--actually we can read that

1 copy and then we just have to formally, you  
2 can make any changes or amendments to it - - .  
3 You can make any changes or amendments, okay?

4 MR. PALMER: - - .

5 [REDACTED] [REDACTED] I'm sorry?

6 MR. PALMER: - - moving a lot of - - Steuben  
7 County.

8 [REDACTED] [REDACTED] Oh, I hadn't heard  
9 anything cause we've been - - .

10 MR. PALMER: Yeah, I know. I checked my  
11 phone.

12 [REDACTED] [REDACTED] Well, the best thing  
13 could happen is they get caught, right?  
14 Peacefully.

15 MR. PALMER: Peacefully.

16 [REDACTED] [REDACTED] That would be beneficial to  
17 everyone.

18 [REDACTED] [REDACTED] Hey, look, you did  
19 the right thing before they got caught, okay?  
20 That's got to count for something, right?

21 MR. PALMER: The repercussions will be  
22 damning.

23 [REDACTED] [REDACTED] How would the  
24 repercussions be if you had to live with  
25 yourself when you could have helped and said to

1       yourself, you know what, maybe I could have  
2       helped. God forbid this doesn't end peacefully  
3       and they do hurt somebody, I could have went  
4       there, maybe I could have helped the police but  
5       I was too scared too. So I thought to myself  
6       instead of saving those innocent, whatever,  
7       children, mothers--okay? And then you wouldn't  
8       be law enforcement. You'd just be a thug with a  
9       badge.

10       MR. PALMER: And - - wouldn't even let you -  
11       - .

12       [REDACTED] [REDACTED] Absolutely.

13       MR. PALMER: - - .

14       [REDACTED] [REDACTED] In a case like this,  
15       I agree, - - I agree on your behalf and I think  
16       about you're intelligent enough and you can make  
17       that decision probably on your own, you know  
18       what's right and what's wrong. And I absolutely  
19       do - - .

20       MR. PALMER: I just don't wish - - . - - .

21       [REDACTED] [REDACTED] I'll be right back.

22       MR. PALMER: I'll be arrested after this.

23       [REDACTED] [REDACTED] I'm not exactly sure. To be  
24       honest with you, I'm giving you an honest  
25       answer, I don't know. I think--we have so much

1 information that we just need to--you know,  
2 we've been going, talking to you all day and we  
3 just need to digest the information.

4 MR. PALMER: Did you know about the  
5 hamburger before today?

6 [REDACTED] [REDACTED] I can't comment on what we've  
7 known and what we don't know.

8 MR. PALMER: Yeah. - - .

9 [REDACTED] [REDACTED] But I'll tell you, I've been  
10 around a long time. My experience is the people  
11 who tell the truth, like you, when they get in  
12 trouble, and we all do things, like you said,  
13 you made poor decisions, whoever makes a poor  
14 decision and tells the truth wins.

15 [REDACTED] [REDACTED] - - America is a  
16 very forgiving country. If people say I'm  
17 sorry, I did the wrong thing, and you move on.  
18 You know that from your life experience that  
19 that's true. Right?

20 MR. PALMER: I think so.

21 [REDACTED] [REDACTED] I do too.

22 [REDACTED] [REDACTED] And that's the way--I mean,  
23 that's the - - about it. That's what we're  
24 going to keep saying is that you came here  
25 willingly for how many hours we've been here,

1 asked every question, took a polygraph test,  
2 you want to see these people caught and that's  
3 why you're here. Now, anyone--yeah, you - -  
4 but--

5 MR. PALMER: [Interposing] - - errors that  
6 I've made--

7 [REDACTED] [REDACTED] [Interposing] Yeah, well,  
8 [crosstalk]--

9 MR. PALMER: - - embarrassing. That will  
10 bring on all the feelings.

11 [REDACTED] [REDACTED] They'll understand.

12 MR. PALMER: No, they won't.

13 [REDACTED] [REDACTED] Yes, they will.

14 MR. PALMER: No.

15 [REDACTED] [REDACTED] I think they will. From the  
16 little I know about you, Gene, I think you're a  
17 good person. I watched you, waiting for you the  
18 other day, [REDACTED] [REDACTED] [REDACTED]

19 MR. PALMER: [Interposing] You saw that?

20 [REDACTED] [REDACTED] --[REDACTED] [REDACTED] [REDACTED]

21 MR. PALMER: I didn't do very well with  
22 that.

23 [REDACTED] [REDACTED] You're [REDACTED] [REDACTED] [REDACTED] [REDACTED]

24 MR. PALMER: - - --

25 [REDACTED] [REDACTED] Gene, I had a client before - -

1        what my client, what his wife found out that  
2        he had Lou Gehrig's disease.  She divorced him,  
3        tried to take the kid away.  I went back to  
4        court for free, represented him for free four  
5        times when she was trying to get him to have no  
6        unsupervised visitation with her son.  And she  
7        had left him and tried to take his kid away.

8        [REDACTED]

9        [REDACTED]

10       [REDACTED] He died and the week  
11       before she had him in court for child - - .

12           MR. PALMER:  It's hard to believe that, - -  
13       felt for Tilly - - .

14           [REDACTED] To be honest with you, I think  
15       the focus - - be on her.  She's the focal point  
16       - - information.  I think that's what the media  
17       is going to be focusing on, that relationship  
18       that she had.  - - that you're a small part and  
19       - - a person of entrust and - - asking who you  
20       are right now.  I don't think anyone is assuming  
21       that you - - or helped them or anything like  
22       that.

23           MR. PALMER:  One question, he didn't - - .

24       [REDACTED] - - .

25           MR. PALMER:  - - ?

1           ██████████ Oh. No, it's law  
2 enforcement - - once this is over with - - .  
3 I'm not sure what the state police rules are. I  
4 know federally and you can FOIL information but  
5 generally people, the way the federal rule is,  
6 people that are - - information that's - -  
7 assistance to us, we kind of protect that  
8 information from FOIL. There's a system to do  
9 that and I cannot speak on that. But the New  
10 York State police side, I don't--

11           MR. PALMER: Then you require that - - that  
12 they're going to keep following him or asking me  
13 for comments, what are we supposed to say?

14           ██████████ Just say no comment.

15           MR. PALMER: Will they put - - .

16           ██████████ - - what you just said.

17           MR. PALMER: Okay.

18           ██████████ Is there a fan on?  
19 It is damn hot in here. I don't - - . I think  
20 it's us. I think it's the body heat here - -  
21 certain amount of the time. Okay. I'd like you  
22 to read the first line out loud, please.  
23 Actually you know what? - - .

24           ██████████ - - read this out loud, do you?

25           MR. PALMER: Gene Palmer, age 57, born on

1 [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
2 [REDACTED] [REDACTED] [REDACTED] [REDACTED]. I have been advised  
3 by Investigator [REDACTED] [REDACTED]  
4 [REDACTED] [REDACTED] [REDACTED].  
5 MR. PALMER: --of the New York State Police  
6 of the following.  
7 [REDACTED] [REDACTED] Okay, just read the  
8 first one out loud.  
9 MR. PALMER: I have the right to remain  
10 silent and I do not have to make any statements  
11 if I do not want to.  
12 [REDACTED] [REDACTED] Okay. Can you  
13 initial that you understand that?  
14 MR. PALMER: Yes, I do.  
15 [REDACTED] [REDACTED] Well, can you  
16 initial that you understand it, please. You  
17 have to initial them one by one, okay? You're  
18 not agreeing to it; you just understand, that  
19 you understand what that means. If you don't,  
20 please ask any questions.  
21 [REDACTED] [REDACTED] These are all of the Miranda  
22 rights that's he's reading - - .  
23 MR. PALMER: Yes.  
24 MALE VOICE: By signing [crosstalk]--  
25 [REDACTED] [REDACTED] He needs to sign



1 each one which states that you understand  
2 what that means. If you don't, ask me a  
3 question on it or ask your attorney a question  
4 on it. Then at the bottom when he says I fully  
5 understand these rights and at this time I agree  
6 to give up these rights and make the following  
7 statement, then he's agreeing to speak to us.

8 [REDACTED] Okay.

9 [REDACTED] And then hit the  
10 final [crosstalk]--that's the agreement to speak  
11 to us - - his rights.

12 [REDACTED] So you understand the words,  
13 remain silent and you don't have to make any  
14 statement.

15 MR. PALMER: I'm on - - we're already past--

16 [REDACTED] [Interposing] I know but you  
17 understand that you don't have to.

18 MR. PALMER: Right.

19 [REDACTED] You do understand  
20 that, right? If you do understand that, could  
21 you please initial it right there. Was there a  
22 reason you don't want to initial it or you're  
23 not initialing?

24 MR. PALMER: No, I--

25 [REDACTED] [Interposing] Gene, you--I know

1     it's late. Do you know the Miranda rights  
2     that - - and you said that you understood. If  
3     you still understand them, just initial that you  
4     understand that you had the right to remain  
5     silent and you don't have to make any statement.  
6     Do you understand that you don't have to make  
7     any statements?

8           MR. PALMER: But everything that I told you  
9     right now is going to work against me.

10           ██████ ██████ No, but--

11           ████████████████████ ████████████████████ [Interposing] Are  
12     you getting that from--no, go ahead. I do not  
13     want to tell you--would you rather do this  
14     [crosstalk]. Okay. Well, this is what I have  
15     with a lot of people in the past. I give up  
16     that right. Anything--if I give up that right,  
17     anything I do say can and will be used against  
18     me in a court of law. Do you know what that  
19     means? Not that this whole thing is going to be  
20     used against you. It means that if you give a  
21     statement, I'm not going to turn around and say,  
22     you know what... I'm not going to testify this,  
23     okay? I'm not going to put this statement in  
24     the hands of the district attorney. I'm not  
25     going to take this statement--I'm going to take

1 this statement and avoid it from being - -  
2 into court proceedings if court proceedings do  
3 occur. Okay? So in other words, it can be used  
4 against you.

5 [REDACTED] [REDACTED] Not that he's going to.

6 [REDACTED] [REDACTED] Okay? It's an  
7 official document that can go to the court,  
8 okay? And therefore, it may be used against  
9 you. I have to testify--

10 [REDACTED] [REDACTED] - - we'll take a break.

11 [REDACTED] [REDACTED] - - knock when you  
12 come back in, please.

13 [REDACTED] [REDACTED] Do you want him to initial it  
14 in front of you or do you want him to--

15 [REDACTED] [REDACTED] [Interposing] I  
16 would like him to initial them in front of me--

17 [REDACTED] [REDACTED] [Interposing] In front of  
18 you.

19 [REDACTED] [REDACTED] - - before, you  
20 don't seem comfortable in signing that - - .

21 [REDACTED] [REDACTED] Thank you.

22 [REDACTED] [REDACTED] Don't talk about it  
23 yet. So just get out of the room - - .

24 [BREAK IN AUDIO]

25 [REDACTED] [REDACTED] Okay. Before we go

1 through this--

2 [REDACTED] [REDACTED] - - remember what we just  
3 said, these are your rights that you, that he  
4 read to you - - . So - - you have the right to  
5 remain silent, you do not have to make a  
6 statement if you don't want to. Do you  
7 understand that?

8 MR. PALMER: Yes, I understand that.

9 [REDACTED] [REDACTED] Initial right there.

10 MR. PALMER: - - folks you truth and that  
11 was - - .

12 [REDACTED] [REDACTED] Absolutely.

13 MR. PALMER: - - will be damning for me.

14 [REDACTED] [REDACTED] I don't necessarily think  
15 that. think that you made some mistakes--hey,  
16 don't just sign it. Read them first. Do you  
17 understand?

18 MR. PALMER: - - it might change the  
19 outcome.

20 [REDACTED] [REDACTED] No. Do you understand what  
21 you're signing?

22 MR. PALMER: I do.

23 [REDACTED] [REDACTED] Please listen to  
24 your attorney, okay?

25 [REDACTED] [REDACTED] You have the right to have me

1 present here. I'm here. Okay. You have the  
2 right to stop any time and remain silent and  
3 have me present--

4 MR. PALMER: [Interposing] I don't want to  
5 remain silent because I don't want anybody to  
6 get killed on the street.

7 [REDACTED] Okay. Good.

8 [REDACTED] So you understand--

9 MR. PALMER: [Interposing] Yeah, that part.  
10 - - .

11 [REDACTED] As to what?

12 [REDACTED] - -

13 [REDACTED] As to what? Not at  
14 this point. Again, stop beating yourself up  
15 over the past. Okay? And start doing the right  
16 thing.

17 MR. PALMER: - - ?

18 [REDACTED] Yeah, just what I told you.  
19 You're a good man. You made some mistakes.  
20 We're all, we're a forgiving country and the  
21 bottom line is, you tell the truth--

22 MR. PALMER: - - .

23 [REDACTED] And you told us the truth--

24 [REDACTED] I believe you.

25 MR. PALMER: Thank you.

1           ████████████████████ And at the end of the day  
2 that will carry the day. That will carry the  
3 day.

4           ██ If I didn't think  
5 this was the truth, I wouldn't be taking this  
6 statement. Okay?

7           MR. PALMER: Okay. Sign here.

8           ██ Okay, do you understand the  
9 rights?

10          MR. PALMER: Yeah.

11          ██ - - initial them. And you're  
12 agreeing to give them up at this time to make  
13 this statement.

14          MR. PALMER: Yes.

15          ██ So you're going to sign  
16 there.

17          ██ Counsel, can you please initial  
18 by his initials?

19          ██ Yes.

20          ██ Or at least the  
21 bottom one.

22          MR. PALMER: You want me to sign there too?

23          ██ Yes.

24          MS. PALMER: She's not very happy. She - -

25          --

1           [REDACTED] [REDACTED] [Interposing] When you  
2 were out - - he's saying that you saw him carry  
3 his [REDACTED] [REDACTED] [REDACTED] [REDACTED] into the house.

4           [REDACTED] [REDACTED] Now I want you to  
5 read this, okay? This is your statement. I  
6 want you to read it and at the bottom of each  
7 page, after you read it, I'm going to have you  
8 initial it. Before you initial it I'm going to  
9 put a line, okay? That prevents us from typing  
10 anything past what's on this paper, okay?

11           MR. PALMER: Yes.

12           [REDACTED] [REDACTED] After we leave.  
13 Okay. Your attorney is then going to initial it  
14 also. - - satisfied--

15           [REDACTED] [REDACTED] [Interposing] Read that  
16 because you're signing your name to this--

17           [REDACTED] [REDACTED] And I want you also  
18 to read it.

19           [REDACTED] [REDACTED] Yeah.

20           [REDACTED] [REDACTED] Does anybody need  
21 any water?

22           MALE VOICE: I'll take one, please. Thank  
23 you, sir.

24           [REDACTED] [REDACTED] [REDACTED] [REDACTED]

25           [REDACTED] [REDACTED] No, I'm fine. Thank you,

1 sir.

2 [REDACTED] [REDACTED] Would you like some water?

3 MR. PALMER: No, sir, thank you.

4 [REDACTED] [REDACTED] Okay. I know you're tired  
5 but did you read all [background noise]. Make  
6 sure that you're reading it.

7 MR. PALMER: - - there. Not knowingly. - -  
8 definition.

9 [REDACTED] [REDACTED] Well, that's what you've  
10 always said all along so it's different than  
11 intentionally.

12 Now I'm going to - - read it because if  
13 you're providing a false statement, it's a  
14 misdemeanor.

15 [REDACTED] [REDACTED] I was going to bring  
16 it up - - but your attorney is doing that for  
17 you.

18 [REDACTED] [REDACTED] So make sure that you're  
19 comfortable with it. If you need to read it  
20 again, read it again.

21 MR. PALMER: The reason why I allowed him to  
22 work on the electrical boxes so they could cook  
23 in their cells.

24 [REDACTED] [REDACTED] - - we added that at  
25 the bottom right there.



1           ████████████████████ Actually your attorney  
2 pointed that out. He told it to you and you can  
3 correct it.

4           ████████████████████ Well, I think you mentioned  
5 it during your interview.

6           MR. PALMER:   - - .

7           ████████████████████ So what he wants you to do is  
8 put a line through--

9           ████████████████████ [Interposing] Yeah,  
10 that's just for your protection. It's just  
11 something I do--

12          ████████████████████ [Interposing] I've always  
13 wondered--

14          ████████████████████ - - place for it.

15          ████████████████████ I always wondered why they do  
16 that.

17          ████████████████████ You know what, you  
18 don't have to do it but--

19          ████████████████████ [Interposing] I see it on  
20 every single statement I've ever read.

21          ████████████████████ And I think it's a  
22 good thing to do. I'm glad people are doing it.

23          ████████████████████ Yeah.

24          ████████████████████ And you sign that,  
25 if you agree with that statement up to that

1 point. Okay. With the time and date, okay?  
2 The date is 06/20/15. Time of 10:39 p.m. Mr.  
3 Brockway, can you either sign or initial right  
4 below your client's signature?

5 [REDACTED] Yeah.

6 [REDACTED] Do the same thing  
7 there. And it will be the same time. It will  
8 be date, 6/20/15, time 10:39 p.m.

9 Sign there. And you don't have to worry  
10 about the time on that one, okay? - - .

11 Now right down here, statement end of time,  
12 okay?

13 MR. PALMER: Yes.

14 [REDACTED] I want you to put  
15 the time, you can look at your watch. My watch  
16 says 10:41 and then there's a box, check here  
17 Okay? Initial - - and have your attorney  
18 initial it. Excuse me? No, that's actually  
19 concurrent for both of these and this is if it's  
20 being sworn to.

21 MR. PALMER: - - .

22 [REDACTED] Okay, well, that  
23 section is not--

24 MR. PALMER: [Interposing] Okay.

25 [REDACTED] It's a preprinted

1 form.

2 [REDACTED] [REDACTED] Oh, okay.

3 [REDACTED] [REDACTED] Okay, can you

4 initial that?

5 [REDACTED] [REDACTED] Yeah. Me or him?

6 [REDACTED] [REDACTED] Actually he's

7 supposed to - - .

8 [REDACTED] [REDACTED] Initial here. And where do  
9 you want me to do it?

10 [REDACTED] [REDACTED] If you can initial  
11 there. And if you agree with this statement,  
12 having read - - as your attorney explained to  
13 you, any false statements punishable as a class  
14 A misdemeanor. If you could sign right here.

15 [REDACTED] [REDACTED] Can we get a copy of it?

16 [REDACTED] [REDACTED] Oh, you're going to  
17 get one. That's a rule. We've got to provide  
18 you with it. Can you sign where...

19 [REDACTED] [REDACTED] Okay.

20 [REDACTED] [REDACTED] No, that's--no, it's  
21 your, you're a witness.

22 - - copies of this. Nothing has changed. I  
23 don't want anybody--there's no surprises. I'm  
24 not throwing handcuffs on you. You're going  
25 home tonight. Okay?

1 MR. PALMER: Thank you.

2 [REDACTED] [REDACTED] Everybody thinks  
3 they sign this and all of a sudden... I  
4 appreciate your lawyer too. He stayed with you  
5 all this time, you know? I appreciate you being  
6 truthful, how about that? I'm doing my job;  
7 you've come a long way.

8 [REDACTED] [REDACTED] Thank you.

9 [REDACTED] [REDACTED] Okay. Why don't you  
10 just stay in here for a second. - - copy--  
11 actually you know what? - - signed off. Do you  
12 want to wait and I'll get you copies outside?

13 MR. PALMER: Do you know when I'm going to  
14 be able to reach - - .

15 [REDACTED] [REDACTED] I will find out.  
16 I've been in here with you guys. I will find  
17 that out.

18 [REDACTED] [REDACTED] Okay, where do you want us to  
19 go?

20 [REDACTED] [REDACTED] I could take them to  
21 the lobby--you can wait in here. And I will get  
22 you copies of this.

23 [REDACTED] [REDACTED] Thank you.

24 [REDACTED] [REDACTED] How many copies do  
25 you want?

1            [REDACTED]    [REDACTED]    Just two - - .

2            [REDACTED]    [REDACTED]    Two?

3            [END Palmer\_Tracks1-6AfterPoly\_6-20-15]

4            [END RECORDING]

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C E R T I F I C A T E

The prior proceedings were transcribed from audio files and have been transcribed to the best of my ability. I further certify that I am not connected by blood, marriage or employment with any of the parties herein nor interested directly or indirectly in the matter transcribed.

Signature:

A handwritten signature in cursive script, appearing to read "Daniel Argueta", is written over a faint rectangular grid background.

Date: July 24, 2015